



Engraved by E. Williams, N.Y.

John Jay Williams

ADDRESSES

ON VARIOUS OCCASIONS

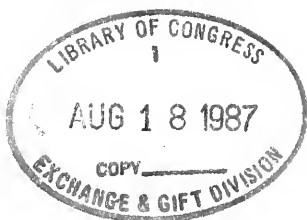
BY THE LATE

JAMES WATSON WILLIAMS

OF UTICA, N. Y.

New York
The Knickerbocker Press
1903

PS 662
.Z9W5
1903



91-156602

PREFACE.

AT the suggestion of some of the friends of our father we have collected a few of his writings for distribution among those interested. It should have been done long ago, while there were still living more who remembered and appreciated his quiet observations on passing events and his scholarly wording of those observations.

Neither the handwriting nor the English of these manuscripts is such as can be duplicated often in this busy age, when the tendency is to ignore the sources of modern language in the usual educational courses.

Written on topics of the day, and often for addresses on particular occasions, both topics and occasions now almost passed out of mind, only those who remember the circumstances, or who are particularly interested in local history, will thoroughly appreciate many allusions in these papers. Nevertheless, some may care for them on their literary merit, and as relics of a period of more studious and careful writing than is usual, or perhaps possible, now, when rapid thought, rapid execution, the shorthand report and the typewritten manuscript are the roads to success in literature, as well as in every other calling.

Our father was evidently a student of what he read, and his reading was mostly in the paths of history, biography and philosophy. His early life, and he began these addresses when only twenty-five years old, was coincident with the youth of the country, and his loyalty to its first theories and principles was extreme. Perhaps, in the light of more recent happenings, (when it has seemed necessary to change or modify some of these theories,) his expression of opinions may

appear a little narrow and prejudiced to those more cosmopolitan in their views; but such sentiments as his, even if time may prove them mistaken, must always cause a glow in the heart of a patriot, for they show that he had a sincere love of, and belief in, his country. He himself would have been the first to see and correct any errors in his judgment, had a few more years of health and strength been added to his life. At the time of the Civil War, he changed his views from conviction, and with them his long allegiance to his political party. He was quick to detect the advantages of a new machine, or method of work; harder, perhaps, was it, to relinquish historical facts which had been instilled in early youth, as when, in the last year of his life, he began to read Froude's *History of England*, then recently published; he did not penetrate far into the second volume; the effort to make a saint of King Henry VIII so disturbed him, that although he did not presume to doubt the facts as presented, he preferred not to have them presented to *him*; they seemed so completely revolutionizing, that, with his waning strength, it did not seem worth while to pursue the subject.

At the time of his death, he was preparing another speech, to be delivered before the Phi Beta Kappa Society of Hamilton College, of which there are notes for almost the whole; unfortunately, however, they are not in such shape as to enable us to make use of them, but they are enough to show that the mind was clear, the habit of thought vigorous and the eye of faith undimmed to the last.

In character he was gentle and retiring, and had that most unusual feeling among men, that he would never lift a finger to obtain any office or honour. If he was to have it, it must be "thrust upon him." His failings leaned to virtue's side, and made it very hard for him to claim his just dues, or to refuse aid to any who asked, even when, perhaps, he should have done so. As usual with the studious and thoughtful, he was not fitted for the toil and striving necessary to keep pace with the busy world, but found, in his books and in his garden, a solace for the irritations that he could not escape. His man-

ners were gracious and courtly to all—the sort that come from good breeding and a really kind heart. No one can testify more truly to his excellencies and the blamelessness of his life than his daughters, who were, from childhood, his constant companions and pupils. Their evenings were made happy by the habitual presence of both father and mother, an unusual thing, perhaps, even in those days, and much more so now, in the present state of society. From those evenings they date their knowledge of many English Classics, read aloud by their father. A choice circle of friends were often gathered around their board, and there was, on these occasions, such excellent conversation, and such ready wit as are not often heard.

What a picture in this bustling, nomadic age! A good citizen, living quietly, year after year, in his own town; a good father, spending his days and nights in the bosom of his family; a man who found his pleasures in the use of a fine intellect, and yet did not deem it inconsistent with that intellect to be a good Churchman and a regular communicant!

“The Lord ordereth a good man’s going, and maketh his way acceptable to Himself.”

In the subjoined obituary notices it is said that there were no premonitory symptoms before his death. This is not quite the fact, as for a year or two he had not been quite well, having had several alarming attacks after unusual exertions.

RACHEL MUNSON WILLIAMS PROCTOR.

MARIA WATSON WILLIAMS PROCTOR.

July, 1903.

OBITUARY NOTICES.

HON. J. WATSON WILLIAMS.

“JAMES WATSON WILLIAMS died suddenly at his residence in this city last week Wednesday evening. Without warning of sickness or premonition of death he was attacked suddenly with paralysis of the heart. Almost before his condition was known, and some time before a physician could reach his bedside, he breathed his last. Wednesday afternoon he was present at the Utica Dispensary, a charitable institution of which he was an active manager. Those who saw him there remarked a slight pallor on his face, but were more struck by the unusual cheerfulness which he evinced. He seemed full of hope and happiness. The upraised arm of Death cast no shadow.

“Mr. Williams was a native of Utica. He was born in the year 1810. His father, the Hon. Nathan Williams, once Judge of the Supreme Court of our State, was numbered among the pioneers of Oneida County. Born neither to poverty nor to wealth, but surrounded by all the happy, wholesome influences which culture and refinement create, James Watson Williams grew to manhood and developed a mind admirable in its capabilities. He studied law and was admitted to practice at an early age. But the routine work of the legal profession offered few attractions to him. In 1835, or thereabouts, he became editor of the *Weekly Observer*. Even at that time, when he had just entered upon his twenty-fifth year, he was a polished, scholarly writer, a clear, original thinker, and a good logician. His connection with this journal extended over a period of more than two years.

"In 1847 Mr. Williams was elected Mayor of Utica. The following year he took an active part in politics, earnestly advocating the election of Lewis Cass to the Presidency. The section of the Democratic party with which he acted placed him in nomination for Congress. The supporters of Van Buren named Charles A. Mann for the same position, while the Whigs nominated O. B. Matteson. A well-contested three-handed contest ensued, in which Mr. Matteson proved victorious.

"Mr. Williams served as a School Commissioner of Utica, and as a Trustee of Hamilton College. He was for some years the President of the Water Works Company, and he filled many other honorable and responsible positions. But it was not in public life that his remarkable talents shone brightest. He was a philosopher rather than a worker. The spur of ambition never pricked his soul. He was content to study, to enrich his mind, to expand his attainments for the simple pleasure which comprehensive knowledge yields to her faithful devotees. He sought no public recognition. He was endowed with a retiring, unassuming nature. Perhaps he was not indifferent to fame, but he would not enter the lists where the self-seekers were fighting for advancement. Those who fancied him indolent never knew him. He devoted more hours to intellectual labor than most men give to any work. His mind was a vast storehouse of rare and useful knowledge. History, literature, science, politics, and art were all familiar friends to him. He was not a mere reader; he was a reasoner. The latent forces of his mind were never aroused to full activity. He was a spectator rather than an actor in the drama of life. But where the actors jostle each other so viciously we may pause to admire the calm character of one who might have entered the ranks and conquered his way, but who preferred to view the scene, not cynically but genially, satisfied with comparative obscurity, happy in the love of his friends, gladly giving counsel and imparting information, and aiding others to reap the visible rewards of popular favor.

"About the year 1850 Mr. Williams was married to the only

daughter of the late Alfred Munson—a lady of great culture and refinement. His domestic life was full of peace and pleasure. To his surviving family—to the wife who was so devotedly attached to him, and to the children who are rendered fatherless—the sympathy of the community will go out freely in this hour of their sudden and overwhelming bereavement.”—*Utica Observer*, May, 1873.

THE LATE JAMES WATSON WILLIAMS.

“The public were surprised and shocked to learn on Thursday morning of the sudden death of J. Watson Williams, an event totally unexpected, as his health was apparently good up to his last moments. Mr. Williams was born in this city May 18, 1810, and was the son of Hon. Nathan Williams, for many years circuit judge, whose memory will long be held in remembrance for his sterling virtues as a man and a citizen.

“The deceased was a man of unusual ability and attainments. In his youth he held the first positions in the schools and in Hobart College. As a classical scholar he excelled, and was remarkable for his taste and skill in a wide range of accomplishments. He was well read in English literature, and had a cultivated and refined appreciation of all that related to the arts. He spoke and wrote with ease and with a choiceness of phraseology that showed he had given his days and nights to the best of models. He was well fitted to prepare and deliver addresses on public occasions upon a great variety of topics. At the time of his death he was busied in preparing such a discourse to be shortly spoken before the Phi Beta Kappa of Hamilton College.

“Mr. Williams had the abilities which qualified him for eminence and usefulness in public station. Yet his critical taste and his habits of minute and careful elaboration held him back in some degree from reaching that prominence in the public mind to which by his talents he was entitled. His very fastidiousness and nicety were apt to make him dis-

satisfied with his own productions, and prevented his coming forward as frequently and as boldly as he should have done in justice to himself. Added to this, his scholarly habits and inclinations led him to follow, in preference, the more peaceful and retired walks of private life. All those who knew him, however, from his earliest youth, felt that if he had seen fit to throw himself into the struggle for public distinction he had the qualities and attainments that would have enabled him to reach any point at which his ambition might have aimed. Such was the opinion of his early associates, who were best fitted to judge of his mental powers, and of those, too, whose knowledge of men gave them opportunities of judging.

“Beyond the respect inspired by his abilities, Mr. Williams was also held in high regard by this community for his unbending integrity. From his earliest youth his career was marked by the blamelessness of his character, and, in all his dealings since, he was upright, honorable, and courteous. In his disposition he was mild, amiable, and genial, while his intercourse with his fellow-men was marked with kindly charity and benevolent interest. His religious convictions were strong and clear, his devotion to the Church of his fathers constant and invaluable.

“In all the minor matters of life and business he was remarkable for the neatness and accuracy of his transactions. His fine penmanship, his clear-headed insight, his conscientious fidelity, and the nice care with which everything was executed that fell to his lot to do, were so universally felt that demands were frequent upon him to perform public and official duty which no one else so well could do.

“A considerate and indulgent husband and a tender father, his loss deprives wife and daughters of a support and comfort for which the warm sympathy of the whole community can but feebly compensate.”—*Utica Herald*, May 27, 1873.

ADDRESSES



AN ORATION DELIVERED AT UTICA,
JULY 4TH, 1835.

THIS day, Fellow Citizens, however hackneyed some of its appropriate ceremonies may have become by their constant recurrence, is still a day the return of which awakens the most grateful emotions. An anniversary so unique, when considered with reference to the circumstances which gave it origin; and when considered with reference to its associations, so consecrated to all our better feelings; can owe but little of its interest to the pomp and circumstance with which it may be commemorated. These are but the external testimonials of that deep moral interest which we continue to feel in an event, whose causes are eloquently narrated in the simple and dignified summary just read to us; and whose consequences are legible in every thing by which we are surrounded. It is fortunate, my friends, that while we cherish its memory, it does not greatly depend upon those who are honored with a place in the ceremonies of its observance, to commend it to your affections or your reverence. It is an honor and a blessing, too, which we do not perhaps sufficiently appreciate, that the theme it suggests to our consideration is no *novel* one. To us, neither freedom itself nor a reflection upon it, has the charm of novelty; and it is from this very circumstance that we should derive our proudest and most pleasurable feelings. There are those in abundance, in climes less favored than ours, to whom the topic would be *fraught* with novelty; to whom the very name of liberty is an unfamiliar sound, and who have never imagined its real existence. However easily we might commend ourselves to the regard of such, by expatiating in a field fertile of noble thoughts and sublime sentiments; where

every thing, to such auditors, would breathe the fragrance and newness of spring; yet God be thanked that it is not to such I am to address myself now. God be fervently thanked that I see about me those, and only those, to whom freedom, civil and religious, is a subject of daily contemplation; and, what is of far more consequence, of daily enjoyment.

It is a grateful duty, fellow citizens, to recur to the striking scenes of our past history, and revive, on this day, the memory of acts which shed a lustre upon the character of our ancestry, and are so prolific of blessings to ourselves. It is the more grateful, because we can do so with a consciousness that there is nothing to disturb our complacency or dash our pride in the retrospect. Never was there a people who have done so little to offend the world, at the same time that they have achieved so much to advantage themselves. Ours is not a history,—like most histories,—of countries subjugated; of tyranny practised; of treaties infringed; of public faith violated. No, my countrymen; it is a simple and sublime narrative of a nation delivered; of successful wars *against* tyranny; of public faith preserved; of devotion to the principles of good government; of the supremacy of the popular will; of the establishment of civil and religious liberty; of the encouragement of the arts of peace; of a people self-governed, enlightened, and happy. Do you ask to be referred to the various steps and gradations by which we have mounted to our enviable elevation?—They are briefly, but forcibly, recounted in the flight and landing of the Pilgrims; the establishment of the Colonies; the senseless oppressions of the Motherland; the Confederation for the purpose of redressing them; the battles of Lexington and Bunker's Hill; the Declaration of Independence; and the successful Support of it. These are topics with which we have been conversant from our childhood; events, some of them, of which the living witnesses are now before me: *those* venerable men, who still linger amongst us, like the last stars in the dawn of morning, to shed upon us a little longer the light of their memory and their experience.—The mere enumeration of these things summons

a crowd of thronging reminiscences that fill our bosoms with pride and gratefulness. For more than half a century they have occupied the pen of the ready writer and the tongue of the eloquent. Their story is as familiar to our ears as the household words of our infancy; and I can add nothing to impress it more strikingly upon your memories. Leaving all these, therefore, to the current of your own reflections, indulge me while I turn to other themes suggested by our later history.

Reflect a moment, my countrymen, upon our national and personal happiness; upon the comforts, the luxuries, the political and moral blessings so exuberantly bestowed upon us;—and then look back, with wonder, on the wisdom and foresight, to which, under God, these fortunate results are traceable. At the close of the Revolution this extensive country numbered three millions of people. Our whole interior was literally, like that Eastern desert which the children of Israel traversed in their pilgrimage, “a waste and howling wilderness”; rendered more gloomy and repulsive in its aspect by a contrast with the narrow belt of civilization that bordered the Atlantic coast and the shores of the Great Lakes. Here and there in the midst of this inhospitable wild, might be discerned a spot where some hardy settler had penetrated; the nucleus, around which were soon to cluster the more enterprising of the sons of the older colonies; the centre of some future State, which was soon to join the “New Constellation” that had already begun to coruscate in the West. With the exception of these scattered abodes, shedding an occasional gleam upon the otherwise unbroken shadow of this immense tract of forest, it was the divided domain of the wild beast and the savage. The regulated industry, the arts, the refinements of civilized life, had not as yet reclaimed this boundless waste to minister to the wants, the happiness, or the honor of man. It was a blank in nature: its silence unbroken; its resources profitless; its riches undiscovered; its now fertile fields uncultivated; its magnificent streams rolling onward in silent and gloomy grandeur to the ocean; its wonderful beauties unappreciated, because they were unknown.

Such is an indistinct outline of the condition of the greater part of our territory at the period I have referred to. Three millions of people were just beginning to enjoy the fruits of a contest which had not been successful without a profuse expenditure of treasure and of blood. The clouds of hostility which had so long darkened the horizon were now cleared away; and the political and civil atmosphere had assumed an unwonted calmness and serenity. To a people who had drawn the sword from necessity only, in self defence, and without a rage for conquest, to return it to its scabbard was natural and easy. They sought the pursuits and pleasures of peace with an appetite sharpened by the fatigues and privations they had suffered; and with a wisdom and forecast, which well became their character, they determined upon a policy which was to render them a great and a numerous people.

In the ordinary course of nature, fellow citizens, this would have required the patience of centuries. Without any accessions to their numbers beyond the usual and natural increase, they would have proceeded slowly, step by step, from infancy to manhood. In the lapse of an age, perhaps they might have seen their numbers doubled. They felt not only the want of men; but the want, nay, the absolute necessity, of the experience, the arts, and the manufactures of the old world, to make them comfortable and happy. Blest by nature with a profusion of all that the art of man can render conducive to the enjoyment of life, they wanted that art to make it so. They knew the oppressions of Europe, and the desire of its people to escape the service of their taskmasters; and stimulated by the double motive of political interest and political generosity; notwithstanding the doubts of the overcautious, the fears of the timid, and the scruples of the prejudiced; with a noble and far sighted policy of which time has shown the value; they made their country the resort and the resting place of the World.

The eloquence of Patrick Henry contributed mainly to the adoption of this policy. It was doubted, opposed, and attempted to be overborne with restrictions. But that extra-

ordinary man possessed the gift of prophecy no less than the tongue of eloquence; and as a general defence of the encouragement of immigration to our shores, his speech in the Virginia House of Delegates is absolutely unrivalled for its force, its feeling, its truth, and its brevity.

Since the utterance of that prophetic speech, half a century has elapsed;—and what do we now behold?

With a growth unparalleled in the history of the rise of empires, those three millions, which, in the common course of things, would but have doubled their numbers, have accumulated *fourfold*. The thirteen colonies, instead of “lingering on through a long and sickly minority,” have shot up to the muscle and vigor of manhood, and are now expanded into twenty-four powerful confederated States. That terrible wilderness beyond the Alleghanies has been magically transformed into the very garden of America. In all the arts which minister to the comforts or the luxuries of life, we are but a step behind the improvements and accomplishments of the old world; and in many we have already surpassed them. We feel that we are truly independent, and we know that we are truly great. The policy which has so largely contributed to this happy result, has produced, perhaps, the common proportion of accompanying evils; but it would have been worse than folly to have risked its acknowledged and evident benefits, in an attempt to do what no art, or contrivance, or ingenuity of man can do: to enjoy good without tasting evil; to monopolize the virtue of the old world without being tainted with some of its vices.

Notwithstanding this wonderful increase of numbers and prosperity, fellow citizens, *we still want men*. Our vast uninhabited domain must yet be peopled. Wave after wave of population must roll on until we reach the shores of the Pacific. In the meantime, let us not be niggards of the bounty of Providence, nor look with a distrustful eye upon the overflowing population of the Eastern Hemisphere, who desire to better their fortunes in a land where every man that works may eat. Every shipload of immigrants is an addition to our

aggregate wealth and prosperity. Bones, muscles, and sinews, endowed with life, are a productive capital. They possess intrinsic worth. They found new settlements in our wide domain; they clear away our forests; they cultivate our lands; they develop our resources; they achieve our internal improvements; they enrich us with the products of their labor; they acquire individual, and contribute to the public, wealth; they add to our national strength; they fill our manufactories and our workshops; and we ought not to complain if a trivial proportion, in common with ourselves, contribute to fill our poorhouses and our prisons. It is to foreigners, my friends, that we are largely indebted as well for the present enjoyment of our liberty as for the original acquisition of it. In fact, we are a *nation* of foreigners. This remarkable people is descended from those who fled the oppressions of Europe; and it is to the continued oppressions of Europe that we must attribute, in a considerable degree, our unprecedented strides towards greatness.

Having, by the adoption of the liberal measures, the consequences of which I have already anticipated, evidenced our freedom from prejudice against the inhabitants of other climes; a most singular and, to the mind of a philanthropist, a most sublime spectacle was exhibited to the world: that of a new people, assembled by their delegates, in a time of profound peace, to devise a system of self government. Hitherto, fortune, the usurpations of ages, or the will of conquerors and despots,—with such modifications only as the boldness and hardihood of their subjects had from time to time wrested from them,—had formed the government of most of the nations of the earth. In some of these, the gradual encroachments upon the ancient prerogatives of the monarch and the nobility, effected by turbulence, civil war and revolution, had undermined the foundations of despotism; made the pleasure of the ruler in some sort dependent upon the will of the subject; and secured a partial enjoyment of the light of liberty. But never, until now, had mankind beheld an august assembly of freemen, forgetting their jealousies, sacrificing their prejudices and even

their affections, and deliberately, without force or fear, framing a system of civil restraint to be submitted to the very people upon whom it was to be obligatory. None but a people confident of their own intelligence and honesty of purpose, mutually trusting in each other's integrity, and determined to teach the world a noble lesson of the wisdom and practicability of self government, would have consented to so great an experiment. None but men, who knew their own gigantic powers of intellect, who had tested their wisdom and their strength in the councils and warfare of the Revolution, would have undertaken it. None but patriots, conciliatory, cautious, and prudent, would have achieved it successfully. Here, questions which under other circumstances would have aroused bitter feelings of rivalry and contention, were to be directly grappled with and accommodated; interests were to be sacrificed to the spirit of conciliation, which would never have been yielded to force. Yet every difficulty vanished before wisdom and magnanimity; and through forbearance and compromise, a written constitution, the best political offspring of the wit of man, was established by the consent of the people themselves. From that moment, the government, which had before been stigmatized as "a rope of sand," became a chain of union and strength. The same Washington who had fought our battles, and won the chaplet of glory in martial life, had been kindly preserved by Providence to give a favorable impulse, by the weight of his character, to the first setting out of the new constitution; and not until its worth and suitableness had been fairly tested, did it please God to remove that wonderful man to a scene of greater glory.

We had then established a government, which, while it was calculated to administer every salutary restraint, interfered not with rational freedom. Its faults were felt, but they were perceived to be the common imperfections of all things human; its virtues commended it to the respect and admiration of mankind. While the statesmen and jurisconsults of the Eastern Hemisphere were puzzling themselves to little purpose to define the meaning of "Civil Liberty"; a phrase of which their

definitions show they had no clear conception; we were giving a practical exemplification of it. While they contented themselves with words; we, true to our republican character, stopped not short of things. To try fairly our capacity for self government, was the grand experiment; knowing that, if badly governed, the blame would be our own; if governed well, it would be because we governed ourselves. Thus far our political machinery has operated with a steady and effective movement; with sufficient force to overcome the occasional disorders to which every system is naturally subject; and yet so mildly that we are almost unconscious of its motion.

It is a remark of a great political philosopher, that "men thinking freely will in particular instances think differently." This is a sufficient explanation of the origin of parties in a free government. A desire to give strength to the Union on one side, and to the States on the other, was the natural dividing line between those who differed in the outset upon our public measures. Besides, it is one of the defects of written constitutions, owing to the ambiguousness and uncertainty of language, that they cannot always define with accuracy, the designs, the limits, the latitude, and the checks which are necessary to be observed in every system, and particularly in one so complex, in some of its aspects, as ours. This inherent failing leads to a difference of understanding and construction; and this, in its ultimate result, to party divisions. While, therefore, we must submit to these as inseparable from a system so uniformly beneficial, we ought never to forget the parting advice of the Father of his Country to restrain them within their legitimate bounds. A calm discussion of doubtful points; a decent investigation of personal and moral fitness for stations of public trust;—these are demanded by the genius of our institutions. But while we indulge a reasonable liberty in these matters, it is unbecoming our character to suffer that liberty to degenerate into licentiousness; to allow the spirit of party to infuse itself into all our relations, civil and moral; for it is ever to be remembered that this is a downward tendency, infinitely more threatening to the perpetuity of the republic, than

the confiding of power to the worst hands that intelligent men are likely to entrust with it.

It is not surprising, fellow citizens, that we should be occasionally perplexed with questions of public concern, which, if improperly handled, must agitate the community to its very centre. The firm and sound opinions of the body of the nation have already disposed of one which threatened to involve us in dismay and disunion; and, even now, we are trembling to approach another, in which feeling and practicability are so widely at variance, that the heat of a moment in discussing it may arouse a flame that shall dissolve our union, as flax at the touch of fire. In all questions of this complexion, it is our bounden duty, while we do not overlook what is right, to pursue that only which is expedient; remembering always that however easy it might be to choose between right and expediency in regulating our individual concerns, in matters of public interest, abstract right is not invariably practical justice. However much the philanthropist and Christian may lament the existence of slavery amongst us, as a blot upon the otherwise untarnished escutcheon of our fame; however repugnant it may be to all our kinder feelings, as private men, to look upon the fetters which bind so many of our race to servitude in a land where every inhalation should breathe of freedom; yet it ought not to escape us that our singular political condition exposes us, in the attempt to wipe out this blot, to greater evils than any which are now suffered; that our first duty, as a nation, after our duty to God, is to ourselves; and that all philanthropy which loses sight of this obligation, whatever honor may be due to the feelings which give it birth, is of kin to that zeal, unwise and ruinous, that rushes forward reckless of consequences; unwilling to leave to time and opinion, what time and opinion, if left to themselves, will more speedily accomplish.

But not only from questions of a political bearing is it that we are to apprehend danger. The disputes of sectaries in religion, exciting as they do the most ardent and irrepressible of human feelings, are always urged with more heat and

enthusiasm than any other; and it is a singular reflection that the virtue of charity, which of all virtues is the most strongly commended by every moral and religious code, as well as by reason itself, should be the virtue least displayed in the strife of proselytism. Prejudices against sects, as such, are utterly repugnant to the spirit of our institutions; for it is one of our greatest boasts, and a principle guarded by the wisest constitutional defences, that we tolerate no inquisition into creeds and opinions. Whenever religious jealousy or religious ambition shall prompt an attempt at the prevention or extinguishment of any particular faith; or at the acquisition of civil power for any particular party, Protestant or Catholic, Jewish, Turkish, or Heretic; at that moment we shall see the handwriting on the wall warning us that our days are numbered and our glory about to pass away. Then, fellow citizens, it will be the common duty of us all, without distinction of faith, party, or origin, to rally vigorously in behalf of our freedom, both civil and religious; assured that the destruction of either is the inevitable ruin of both.

Looking abroad, my countrymen, we see the thrones of Europe disquieted, and a part of this continent, confused and warring; and, as our returning eyes survey our own shores, where all is peace and contentment, it is impossible not to apply to our condition the impassioned ejaculation of Moses as he prophetically anticipated the future glories of his people: "Happy art thou, O Israel! Who is like unto thee?"—Here we behold a land on which Heaven hath copiously showered down its choicest blessings. Peace, plenty, and the capacity to enjoy them; success in all our enterprises; as a nation, free from debt and entangling alliances; as individuals, enjoying the benefits of education, morality, and religion unmolested; free to choose our pursuits, and indulge our opinions, without let or hinderance. What can we desire which we have not; what hope for that we may not reasonably anticipate? Encourage knowledge and the virtues, which when once they adorn our private life will give a tone to the national temper; which teach us to do our duty as men and citizens, with a

sacred regard to our future responsibility; and these will enable us to shun the rocks upon which every government of antiquity has wrecked, and many of modern times are even now dashing. *Private virtue is the only stable foundation of public order*; and whatever succeeding generation shall see its decay, will witness first, the tottering, then, the crush of the republic; and to close the scene, the burial of all the brightest anticipations of man beneath its ruins.

AN ORATION DELIVERED AT THE GROVE,
TRENTON FALLS, JULY 4TH, 1837.

THERE is nothing, Fellow Citizens, better calculated to excite and keep alive the patriotism of a people than the celebration, in a proper spirit and with appropriate ceremonies, of its National Holidays. It is on those occasions that the memory, reverting to the past, elevates the mind with recollections of all that is pleasant and glorious in the history of one's country, and of all that is eminent and praiseworthy in the lives of his ancestors. It is on those occasions, also, that the patriot, reflecting on the present and looking forward to the future; and, in that double view, weighing how much depends upon the generation which exists and that which is to follow; is aroused to a determination that, so far as depends upon his efforts and example, nothing of what memory recalls as glorious, or eminent, or praiseworthy, shall be diminished or obscured.

It is right and desirable, my friends, occasionally to awaken this feeling; which, otherwise, in times of quietness such as those which have so long smiled upon us, is apt, like the unused sword of the warrior, to rust and consume itself away. What occasion can be more fitly appropriated to such a duty than the annual recurrence of the day which witnessed the Declaration of American Independence and the enthusiastic and solemn pledge, on the part of our venerated forefathers, of "life, fortune, and sacred honor" to the cause of Liberty? It is for the performance of this duty of patriotism that we are now met together in a temple framed by the hand of God himself, surrounded by the tokens of His power and beneficence; a temple where not only the hearts of the free, but all that

is beautiful in nature, conspire to do willing homage to Heaven, and to testify to the goodness and omnipotence of the Great Author of Life, Liberty and Happiness.

We are assembled, my countrymen, not only to do an act of grateful and unforced reverence to the memory of great men; but, while we do them reverence, to learn a lesson from their example; such an example as no other ancestors ever left for the imitation of their posterity. Not that it is in every respect faultless; but it approaches as near perfection as the fallibility of human nature and the state of the times in which they lived, would suffer it. In their character we observe always the elements and generally the full display of whatever virtues can add worth and dignity to manhood; unsullied by any positive vices, though occasionally marred by inconsistencies which were the offspring of long established prejudices that only time has the power to eradicate.

We cannot perhaps employ the present occasion, considering the circumstances of the country, to better purpose than in a brief review of the characteristic traits of the fathers of American liberty. There will be pleasure and profit in the retrospect. We shall learn by it how to appreciate the old paternal virtues, which distinguished the founders of the republic, and at the same time discover the extent of our own degeneracy.

Let your imaginations lead you, my countrymen, to the Atlantic coast; and there view the scene which memory sketches for your contemplation.—The rock on which you stand is the rock of Plymouth. Before you is the ocean which in its farthest sweep washes the island home of your fathers. Yonder vessel which is borne towards the “rock bound coast” at your feet, and now discharges its living burthen—a weary and almost disheartened group—is the Mayflower. Those whom you see gathering upon the desolate shore are daring and determined men, who have fled from the tyranny of the old world to seek a refuge and establish an empire in this. Here they plant their standard, uncertain of the destiny which Providence has in store for them, but still confident in the

protection of that Providence whom they have never yet learned to distrust. The scene is truly unpromising of aught save gloom and despondency; and as you behold it, deformed by wintry storms—dreary and comfortless—you ask: “*Why* have these men abandoned a land endeared to them by all those attachments which shed a charm upon existence? *Why* have they thus severed every tie that ordinarily binds men to their country, braved the perils of the seas, and come hither to encounter famine, disease, and the horrors of savage hostility? Is it from a love of change—a restlessness of disposition—a desire for wealth—a motive of ambition?” These, my friends, as we can testify, are strong impulses; but the impulse that prompted them is far stronger, and it is characteristic. They answer you with the Apostle: “‘*None of these things* moved us.’ We had possessions; we had competence; we were surrounded by our kindred, and by all that commonly makes men happy; but we lacked one thing, and that one thing was LIBERTY—LIBERTY of CONSCIENCE. To obtain and to perpetuate this it is that we have sacrificed all that was attractive—our ease, our kindred, our homes, our country. To us there is no freedom, where there is not freedom to worship God according to the dictates of our own consciences; and cost what it will, we are determined to enjoy it.”

This band of pilgrim immigrants, as you have just beheld them, were destitute of every reliance but God and *their own severe virtues*; those virtues which adorn freedom no less than they become Christianity; which give life, strength, and endurance to a popular government. Of these the first was *Industry*, without which it was impossible to render their condition tolerable. In its train followed *Frugality*, the exercise of which, at all times desirable, was rendered imperious by circumstances; *Perseverance*, essential to the ultimate success of all human efforts; *Temperance*, necessary to the rational enjoyment of life, and to the support of all the other virtues; *Courage*, for the defence of their possessions and their freedom; and *Fortitude*, to endure the disasters and reverses of their exposed condition. *On these virtues*, next to Heaven,

as on a foundation of rock, did they depend as the chief supports of their independence and prosperity. They adhered to them with Spartan, nay with Christian, rigor, and taught their posterity to revere and cultivate them as their chiefest safeguard. They were the best inheritance which they could leave behind them.

Years and generations passed away; but these simple and elevating virtues, transmitted from father to son, endured in unabating vigor, and gave character to the now increased population of the colonies. The usurpations of the mother country, to which they had ever been disposed to remain loyal, so long as loyalty was consistent with freedom, began to excite distrust; and after the most eloquent and dignified but vain remonstrances, they finally aroused open hostility. The descendants of the Pilgrims possessed all the hardihood of their progenitors; and while they had multiplied in wealth and numbers, they had not decayed in virtue. Educated to the noble and independent pursuits of agriculture, or to the enterprising ones of commerce; luxury, extravagance, and effeminacy, the common vices of prosperity, had not as yet sapped the soundness of their character. They were all that their fathers had been, with more expanded intelligence and less bigotry. They were men who not only knew their rights, but knowing, dared maintain them. As their sires had fled from Britain, and submitted to every endurable sacrifice, for conscience' sake; so they were resolved that they would resist to the uttermost the aggressions of British power upon their civil rights, and submit to equal sacrifices for their sake. It is unnecessary to recapitulate the story of their unexampled self-denials and grievances, or to picture at length the reverses, patiently and heroically endured, and the triumphs, moderately enjoyed and wisely used, which resulted in the final achievement of their freedom. You have all heard and read, a hundred times, of the privations and the sufferings, the boldness, the wisdom, the fortitude, the energy, the perseverance which distinguished the period of the Revolution. They would derive no additional force or interest from a hurried repetition.

Tradition, history, painting and poetry have combined to commemorate them. It is sufficient for my present purpose to remind you that the blessings we at this moment enjoy are due to the triumph of exalted virtues from which we have greatly degenerated.

Have we not, think you, thus degenerated? I appeal to you, veteran survivors of the period that tried men's souls—you whom I see before me—bent with years spent in the service of freedom—I appeal to you—Have we not thus degenerated? We complain of the present times; but what are the present times that we should complain of them, in comparison with those that you witnessed? You loved liberty; but you were obliged to starve, to go unclad, to fight, and to bleed for it. We love liberty too; but we enjoy it, furnished to our hands without a struggle or a sacrifice. You endured toils and miseries incomparable to obtain the privileges in which you now participate with us; and we, in a moment of temporary and slight reverse of fortune, are almost ready to forget your sufferings and repine at our own.

Without entering into any political or partisan disquisition as to the causes of the difficulties under which our country labors,—a disquisition which neither the time nor the occasion would justify, however sincerely it might be attempted,—it may be safely said that, so far as they are real, they are attributable in no slight degree, to a neglect of the substantial good qualities exemplified in the lives of our progenitors. Were they contented with a moderate competence? We are greedy of more abounding riches. Were they frugal? We are running into a ruinous extravagance. Were they stable and persevering? We are ever varying our pursuits in the vain hope of realizing wealth in some different avocation from that to which we were educated. We leave our farms, our merchandise, and our professions, and seek elsewhere that prosperity which only perseverance can secure. Instead of cherishing those qualities which are necessary in a republic, we are imitating the luxury of monarchies, where there are vast accumulations of hereditary wealth. It is time, my

fellow citizens, that we should return to the ancestral virtues. They are the genuine virtues which adorn life, and become a simple and republican people.

If we judge from the past, there appears to be in nations a constant tendency towards degeneracy and downfall. After arriving at a certain pitch of prosperity, their course is generally downwards from prosperity to indulgence, and from indulgence to ruin. It becomes us to learn a lesson from the past, and to seek to avoid those vices which have precipitated the most flourishing states to dissolution. The common evils which beset a highly prosperous condition are luxury, extravagance, and effeminacy. Prosperity, however, *may* be enjoyed without those usual concomitants; and it should be the chief study of this great people, as it was the ardent desire of their unostentatious ancestry, to reach that desirable point of national happiness where abundance may be possessed with philosophy and ease without effeminacy. But I fear, my countrymen, that we have wandered somewhat from the true path to this wished for consummation, and have been too much bent upon discovering some royal road to riches. The husbandman has left his fields untilled, to tempt fortune in distant parts of our domain; the merchant, easy in credit and confident in his resources, has drawn upon the future, and meantime run riot in luxury; the professional man has abandoned his books, and sought in speculations a rapid accumulation of that wealth which Providence designs as the reward of well directed labor—labor which under the semblance of a perpetual curse is the great sweetener and solace of life. An inordinate spirit of gain seems to have infected us all to madness; and like gamblers, attracted by delusive hopes, we have deviated from the direct course to prosperity until the loss of fortune and credit begins to recover us to our senses. We may now learn anew the neglected paternal lesson that industry, frugality, and perseverance in our respective pursuits will ensure to every man in this favored land a competence; and a competence is real wealth. Let us acquire and soberly enjoy it, and leave it to our descendants, as our

forefathers left it to theirs, to make a similar acquisition and obtain similar enjoyments for themselves. It will be a more valuable legacy than any we can provide for them. Such has been the aim of our simple institutions. We have endeavored, and that most wisely, to do away with those false distinctions which arise from the possession of wealth; and to secure its distribution amongst all the citizens of the republic, by discountenancing extravagant accumulations for the ruin of posterity.

Besides this all prevailing spirit of gain, there are other tendencies of the present day which should be closely watched and timely restrained. They are the more likely to escape vigilance, because they appear under the attractive guise of reformation. Amongst these tendencies is a proneness to extremes; a fondness for untried theories to the prejudice of old experience; an attachment to novelties in political no less than in religious affairs. Ultraism is the vice of this generation. It has ruined much that is useful without substituting anything that is useful or practicable in its stead. True wisdom, however much the maxim may be derided by those who are disposed to carry even good designs to an evil excess, lies between extremes. Radical changes, unless evils are so great as to become intolerable, are rarely necessary; and yet the demagogue and the zealot are never contented with gradual reformation. They despise the dictates of moderation and sound policy, because these are too cool advisers, and stand in the way of some favorite principle. Unless the old fashioned prudence and good sense of our ancestors continue to control their posterity, recklessness will speedily prostrate institutions which have cost blood and years to establish.

As another symptom of a tendency to degenerate, I may refer you, I think with truth, to a distaste daily manifesting itself towards the pursuits of agriculture. Men seem to be pressing from the country to the town to engage in pursuits that promise more profit but less independence. Agriculture as it was the earliest, so is it the most honorable, free, and manly of all human avocations. "The first three men in the

world," says Cowley, "were a gardener, a ploughman, and a grazier; and a plough in a field arable is the most noble and ancient arms." "Hate not laborious work," saith Ecclesiasticus, "neither Husbandry which the Most High hath ordained." There is no pursuit in life of equal importance, and there is certainly none so well calculated to foster the substantial virtues, and maintain a republic in its simplicity. It is the grand dependence of our country; and had we exhausted the riches of our extended and fertile soil, instead of pursuing the phantoms of wealth, we should never have been reduced to the humiliating necessity of depending upon foreigners for our bread.

I have thus, fellow citizens, in compliance with an unexpected request which I did not feel at liberty to disregard,—on a brief notice, and in the midst of pressing concerns which have allowed small opportunity for preparation,—endeavored briefly to bring into review some topics which I trust are not inappropriate to the occasion, however defectively they may have been presented. I have not dwelt, as is usual and as may have been anticipated, upon the incidents of a revolution the most remarkable that ever engaged the pen of history; nor sought to exhibit in glowing colors the deeds of those famous men whose names on such a day as this spontaneously crowd upon our memories. They needed not to be recapitulated, for they can never be neglected or forgotten. Far distant be the day when it shall become necessary for freemen to depend upon the tongue of the orator to remind them of what is now the common prattle of infancy and the theme of narrative old age. I have rather sought to exhibit that paternal simplicity and wisdom which adorned the every day life of those patriots to whom we owe our origin and our liberty. They are the traits which more immediately concern a peaceful nation; and what they lack in brilliancy they compensate in usefulness. The deeds of war and the successful struggles of the oppressed, possess a more intense and exciting interest; they will serve, when we are called upon to defend our families and our possessions against the attacks of hostility, to nerve

and inspire us; but amid the pursuits of peaceful life, the peaceful virtues should be the theme of our reflections. And where shall we find them exhibited in greater perfection than in the lives of those whose good deeds we this day commemorate? If we seek to add to the glory of this republic, the crown of perpetual endurance; to preserve in all their strength and freshness and purity the institutions of freedom; to reach and maintain that exalted height in the scale of nations, which our fathers prophesied that their descendants should occupy;—to that fountain of great examples which they have provided for our instruction let us constantly repair; assured that *the less we resemble them the more is the republic in danger.*

AN ORATION DELIVERED JULY 4TH, 1866, IN
CHANCELLOR SQUARE, UTICA, N. Y.

I N compliance with a national custom which, I regret to say, Fellow Citizens, has fallen away from its pristine universality and enthusiasm of observance, we are assembled to commemorate a day which our forefathers, who signalized it by a memorable act, fondly anticipated would forever command the respect and devotion of their posterity. It is never trite to say that, for moral grandeur, there are few such days in human history. We look back upon it, however, with dull contemplation and blurred memories, mindful rather of the prosperous and marvellous days which have succeeded it, than of the real import of the event that then loomed to amaze all civilized nations. Custom seems to have staled it, and each revolving anniversary to require an effort to honor it with patriotic decency. The renowned lips that should glorify it with eloquence are silent; the shows that should embellish it with a richness and magnificence significant of a warm, hearty, ungrudging national feeling, and of a grateful recognition of the prosperity and abundance which sprung from it, are too often paltry and barren; and to a few only of the vast multitudes who owe all their public freedom, private ease, and national renown, to the spirit that animated and proclaimed the Declaration of Independence and sustained it to a triumphant acknowledgment, is left the celebration, and apparently the remembrance, of the great Anniversary. One would think that later events which have not faded from the memory, and are hardly yet so long past as to become the subjects of memory, would quicken the dormant national spirit into a vital pulse in behalf of the chief of our public holidays, and

arouse a universal outbreak of jubilation on every return of it. I ought perhaps to except this particular festival from the general remark, but its truth is still evident, among other tokens of a torpid observance, from the circumstance that in a community like this, fruitful of spirit and talents, and not barren of men of mark, one who has no eminence of station, no reputation of eloquence, and no position of dignity to command attention, should be selected to utter the "brave words" of the occasion.

I have not declined the compliment or the duty, simply because a compliment should be acknowledged and a duty should be fulfilled, by even the humblest and most unpretending; and the duty, in my judgment, properly falls to the lot of him who receives the compliment, unless he would unhand-somely impeach the good judgment of those whose province it is to choose, which my sense of decorum would not permit me to do.

The ordinary routine of a national holiday may by repetition become dull and unexciting; but it would seem that among a stirring, ambitious, and wonderfully enterprising people, there must always be happening events enough to supply a theme for the orator, which should tune his tongue to golden words and the ears of his listeners to rapt attention. The sequences of a remarkable epoch naturally reflect themselves upon it, and either lighten or darken it as they are glorious or inglorious. When the Declaration of 1776 propounded the axiom that "all men are created equal," it was not anticipated that the very people who declared it, should be themselves the only civilized people upon earth who should remain for nearly a century a conspicuous living protest against its truth. It is one of the glorious reflections that now lightens that day, that henceforward the axiom is practical as well as theoretical. The same Declaration propounded the further axiom that amongst the inalienable rights of man, wherewith his Creator endowed him, is "liberty"; now a shining truth, heretofore sadly obscured by the darkness of human bondage, which was one of the inglorious reflections that

dimmed the lustre of that day. We are, happily, no longer under a necessity of maintaining paradoxes or framing sophisms unsatisfactory to our consciences, to reconcile our traditional maxims of human rights with our practical disavowal of them. It is now no longer tolerable, as it heretofore might be, to stigmatize as "glittering generalities" those dicta which from our youth up we were taught to revere as substantial wisdom. What in the eye of a good conscience was always a stultifying blot, although the partisan political eye always saw it purblind as through a cataract, now no longer mars the complete beauty and simplicity of our theory of government, and can no longer darken or distort our politics. That it has been effaced with such lavish spilling of riches, blood, and life, is cause for grievous lamentation; but that it was so speedily wiped out, and wiped out so thoroughly, is cause for great national joy, which may well be heartily indulged as part of the jubilation of this and every future anniversary; for now the immortal Declaration may be read without an elision or a blush. The problem so anxiously pondered for ninety years, of reconciling our system of slavery, which our forefathers were ashamed to name, with our proclamation of equality and liberty to all men under Heaven, and particularly to our own people; a problem which has embarrassed and frightened our wisest statesmen and particularly him who penned the Declaration and trembled when he thought of bondage and remembered that God was just; a problem that has perverted and corrupted our parties and sects, civil and religious;—has been consummately disposed of by a Providential solution, so sudden, so surprising, and so utter, that it can vex us and confound our politics no more forever.

The late momentous and remarkable War of the Rebellion, less surprising in its daring inception, than in the wonderful display of spirit, martial power, and hidden resources both of patriotism and treason that it evoked, may be regarded particularly as a vindication of the great truth of the Declaration of Independence as triumphant as the War of the Revolution was of the formal Declaration itself. That War of the

Revolution established rather the fact of a final severance from monarchical power, than the substance of the principles of the famous Declaration. The War of the Rebellion, by its side blow, rather than by its first intention, made a perpetual practical truth of equality and liberty. In seeking to preserve the unity of the government and thwart a pernicious frantic conspiracy, it, as it were casually and by incident, extinguished slavery, which it had not thought to touch, but had rather feared to touch as the Hydra of this Continent, which most of us were disposed to let slumber and even propitiate with questionable anodynes. It was a remarkable fortune of war, —that fatal side blow,—and a stroke as justifiable on all acknowledged principles of warfare as any other mode of crushing treachery and prostrating an enemy. The Constitution, indeed, had never contemplated, or provided for it; neither had it contemplated, or perhaps sufficiently provided for, such a monstrously conceived unfilial rebellion against itself. More doubt has been cast, with a show of reason, upon other acts of the military power of the government than upon this most righteous and courageous one. Some usurpations of authority there likely were, not defensible on definite legal or constitutional principles. I do not justify these on any such principles, should I justify them on any; yet it is to be regarded that defined authority is not always competent to undefined emergencies. There is a latent dictatorship in every government. It leaps forth like a sword in a moment of imminent danger, but mainly reposes and rusts in its scabbard. It is the true "*ultima ratio*." The Romans legalized it and embodied it as the acknowledged supreme power of all earthly power, which for the time being was irresponsible, self-willed, and despotic. Short lived in action, it was ever prompt to be evoked, like a dread spirit, to save the republic and take care that it received no detriment. Constitutions are made for the normal state of society; containing in themselves every provision for the common occasions of peace and war, but not elastic enough to meet all possible sudden occasions of either. They conceal also an abnormal force which betrays itself in swelling out and

bursting the verbal bonds ingeniously framed to confine it. The state of war, especially of civil war, often develops its power. Martial law is the restrained, half-regulated exhibition of it; but its highest development is when every human element is in commotion, when chaos threatens, when laws are silent, and constitutions powerless; and when through apprehensions and through very fatigue of contention and strife, the popular sentiment suffers, rather than impowers, some man of will, strength, and wisdom to seize the helm and guide the ship into the nearest harbor. For the moment he is supreme; none disputes his authority, although there may be no written warrant of it, although it may perforce overleap every written provision against it: if he so handle the rudder as to avoid both Scylla and Charybdis, the rock of tyranny and the gulf of anarchy, and the Maehlstrom of a perfect wreck, every breach of the constitution and the law is caulked by his success; for the crew is too happy in bare salvation to criticize or condemn the stern, self-willed, wise management of the venturesome master. It is, however, an assumption of power with a halter round the throat, ready to strangle without mercy him who exhibits the least disposition to retain or exercise it a moment beyond the emergency that seemed to justify it. Glory attends his success: punishment his failure. It is a dread responsibility, and only a dread occasion that tolerates it.

If during a sedition or rebellion which threatens the life of the body politic, an occasional usurpation or doubtful exercise of power occur, the obvious effect of which is to save that life, or which is obviously resorted to for that single end, it must be regarded like a desperate operation in surgery, where either the wound or the operation must be fatal. The life is better than the limb; the life of the constitution better than the particular members of it. Constitutions political, like constitutions natural, must in times of high excitement and commotion, suffer some severe and distorting wrenches, and lose perhaps here or there a limb; but it is better to go awry than to lack the power of going. No constitution ever long preserved its original integrity. Our own was changed before it had been five

years out of the cradle. The fact that itself provides a way for its amendment betrays a sagacious provision by its framers that constitutions are prone to defects, weaknesses and insufficiencies. The rubs of time and experiment will dislocate or wear out the best ordered machinery. When the Roman State could no longer go with a Monarchy, it adjusted itself to the grooves of a Republic; so went, not without some serious frictions and jars, for five hundred years; and finally fell to pieces as a Monarchy again under the name of an Empire.

The rebellion was the "*crux experimenti*,"—the trial test,—of our form of government. We had proved our ability to sustain ourselves against foreign aggression; now we were to prove our ability to control and conquer ourselves. An internal dissension not promptly met and completely subdued, is a fatal stab in the body politic. No wise parent will ever suffer one of his offspring to get the upper hand by obstinacy or force. He will first subdue and then conciliate him by cautious leniency. This requires self-control. He does not expect as an evidence of submission that the sufferer should complaisantly kiss the rod. That is a high effort of Christian humility which few Christian people ever attain to. He lays the rod aside when its present purpose is accomplished, and adds no superfluous aggravation by flourishing it provokingly in sight, as if no gradual amendment of conduct could be a trustworthy assurance that the discipline would be effectual without threatening more. He does not expect that forthwith on the ceasing of the chastisement, and while the stripes smart, smiles of satisfaction should succeed to the frowns of obstinacy; but he prudently leaves to time and reflection the cooling of the rebellious blood, and quietly allows wounded pride and mortification to compose themselves, without ruffling taunts or further menace of authority, into the equable mood which confesses the propriety of the punishment and assures a reasonable submission. Such is the conduct that experienced statesmen, versed in human nature, will adopt towards rebellious citizens, and it is the better half of their victory to restrain themselves to such a wise use of it. Says Lord Bacon,

“to give moderate liberty for griefs and discontents to evaporate, so it be without too great insolency or bravery, is a safe way. For he that turneth the humors back, and maketh the wound bleed inwards, endangereth malign ulcers, and pernicious imposthumations.”

The difficult part of a rebellion, like the cure of some diseases, is in the after treatment. In our peculiar government, which being *sui generis* cannot look to precedents, we must depend on our own wisdom, and knowledge of our people, and the continued favor of a protecting God whose evident benign interpositions we cannot as a nation sufficiently acknowledge, —to calm the agitated waters. We are not to forget that while we think we are dealing with States, we are dealing also with people and with human nature. An overbearing exercise of power, or an insolent show of it, will not be comfortably submitted to by either. It will not do to confound the loyal with the rebellious, because like the noted dog in the primer, they have been found in bad company; and in every State there is likely to be more loyalty at bottom than is floating upon the surface; for loyalty is sometimes overpowered and forced to sink, like the Nautilus, when the violence of the waves threatens destruction; but when the rage of the tempest is passed, and the waters are calmed to safety, then, like the Nautilus, it rises again. We must not depress loyalty in our zeal to oppress traitors, nor make it an involuntary participant, by any indirection, in the penalties of rebellion. A loyal man may represent a treasonable population, but he will not therefore represent treason; it is not right nor politic to disavow him because of their infidelity.

With the disappearance of slavery, a hitherto vital clause of the Constitution became lifeless; but out of its ashes is revived a representative element which while it is the offspring of that decay is also the parent of increased power to the former slaveholding States.

If there had been no slave population when the Constitution was adopted, all the population of all the States would have constituted the basis of representation and taxation. It

was the first and foremost principle that inspired the revolt of the colonies, that taxation and representation should go together. When the Constitution was debated, slaves were ranked amongst mules and horses, and it was with great contention that a slave was finally concluded to be equal to three fifths of a man, and was allowed to be estimated at that value in the basis of representation and taxation, so that two out of every five were in fact unrepresented and untaxed. There are no slaves now, which is just the ideal truth of the axiom of the Declaration of Independence, now for the first time made a real one in our history; but the bare axiom seems to be still too strong for us. We are uneasy that the freedmen should be counted in the census a man for a whole man, like the rest of us, for a mere political reason. We are apprehensive that it will give the States which they occupy an increased influence in the affairs of government, and on our doctrine of compensations that influence should be diminished rather than increased. It is an influence that they have by no means demanded in that way, and is rather forced upon them by circumstances which they would willingly have avoided; and yet, on principle, all politics aside, it seems that it is an influence that they are lawfully entitled to. They have the population; and why should they not have the constitutional advantage of it? It will not do now to say that it is because they are black, any more than to say that they are resident foreigners. They are equivalent, color aside, for arithmetical computation in a census, to so much transatlantic population immigrating into those States and settling there.

To avoid this necessary constitutional sequence of emancipation, it is proposed to amend the constitution in respect to the basis of representation. Yet this basis as it now stands is the broadest it is possible to have, and the most corresponding to the genius of that republican government which is guaranteed to all the States; because it excludes none from representation, but covers the whole population impartially and indiscriminately; and what is more, it covers the great principle which started our revolution, that taxation and rep-

resentation should go together. If the right of suffrage were necessarily incident to the condition of a freedman, no amendment to the Constitution in this particular would probably be demanded. The question of suffrage is therefore intimately connected with this merely political aspect of the subject, and that happens to be a question not opened by the Declaration, and left by the Constitution hitherto to the several States.

Suffrage is a purely conventional, and therefore always a vexed, question. A right to it is not one of those elemental human rights which are natural or inalienable. From the nature of the case it must always be conventional in any wise system of representative government. We number idiots and lunatics in the periodical census of our representative population; and yet they are notoriously incompetent persons to be trusted with the suffrage. We number women and children also; but deny them the privilege. We number all resident foreigners; but until they are made competent, by a conventional law, they cannot exercise the suffrage. We number the blacks also; but they have never, except casually, been allowed the suffrage. Their case, therefore, differs in no respect from that of other large classes of our population; and in point of principle no favor can be claimed for them above those neglected classes. That they should have the right to acquire the suffrage on some terms may not be unreasonable, and it has been conceded to them, here and there, upon easy qualifications. If the right exists upon any broad, moral theory of abstract justice, rather than upon the arbitrary one of political prudence, then it will be hard to say why women and precocious children, who control their husbands and fathers, should not also have as direct a voice in controlling the State as freedmen, Chinamen and coolies. But men are not born voters any more than they are born constables or governors, or than they are born twenty-one years old. They are born, however, black or white, with a clear right to work, which not being otherwise enumerated in the Declaration, is probably the "pursuit of happiness"; a right which the man

of color may indisputably claim to be inalienable now, however marketable it may have been among his late masters.

In respect to the legal condition of the citizens of the States that fomented the rebellion, and their constitutional relations to the government, the logic of the case seems to be this:—several of the States assumed authority, absolute or reserved, to sever the Union of the States, which was the actual government of all. The remaining States adhered to the actual government, and were that government; and insisted that it was not the right of any State to dissolve it, and that it should not be dissolved, at least forcibly; and it never was dissolved. The seceding States incited a rebellion which was sanctioned by their ostensible State governments, as if, for that unlawful purpose, they lawfully represented the people and the power of those States. There were many of those people who did not concur in this assumption of authority, nor in anywise become voluntary parties to the rebellion. The rebellion was put down by the strong arm, as a riot or sedition might have been. Those engaged in it, voluntarily, became liable to the legal penalty of their crime. That penalty touches persons and not States, and may be enforced, modified, or wholly pardoned at the pleasure of the Executive power. The laying down of their arms was an acknowledgment of guilt, as well as a submission to the legal consequences of it. No general amnesty has been proclaimed, but large numbers of the less conspicuous have been pardoned. These, of course, have legally atoned for their guilt, are no longer answerable for it, and are fully restored to their civil position by proper authority. They are, therefore, with the mass of those who remained confessedly loyal, entitled to the exercise of their civil rights. Among these is the right of representation and suffrage. They may hold their elections, and choose their representatives as before. It is the right, no less than the duty of the legislative body, to scan their pretensions to membership there, and to enquire into the validity of their election, not in gross, but in detail. Each elected representative is entitled to have his particular claim adjudged upon its own

merits. His loyalty may be questioned; the legality of his credentials may be tested; the right and authority of his constituents to elect may be investigated. If all these be in his favor, his right to membership cannot lawfully be made to depend on the right of his co-delegates. He may be loyal,—they may be disloyal; he may in all respects be entitled to a seat,—they may have been irregularly chosen, and for that cause not entitled. The War of the Rebellion suspended, during its rage, the exercise of the usual modes of civil administration, but it abolished no government: it suspended civil rights and remedies, but it did not extinguish them. The moment it ceased, the loyal men were theoretically, if not in fact, the State; and had the right to exercise the authority and represent the power of the State, and to reduce the chaos to what order they might, pursuing the constitutional modes of doing so. Such, in brief, is the position in which they now stand; their States in their normal constitutional condition; the loyal and absolved people entitled to all their rights as if there had been no rebellion; their representatives entitled to their seats in all legislative bodies, unless individually rejected upon the usual tests of title and competency as provided by the Constitution; each State an independent government owing fealty and obedience to the government of the Union, and as legal and constitutional an entity as ever.

A future philosophical historian, it seems to me, will trace the rebellion, *remotely*, to the original vice of our civil organization, which practically falsified our philosophy of human rights; *mediately*, to the sectional rivalries, antagonisms, and irritations, which sprung from that vice, and which worked themselves into party politics; and, *proximately*, to the growing disparity of the rival sections of the country in political influence and power; to a consciousness on one part of inferior general success and prosperity as contrasted with the growth and advancement of neighboring States whose system was one of more perfect freedom and enterprise, producing that Haman-like temper that makes a people as well as

individuals discontented and unhappy; and to a feeling, on the other part, that an exacting sectional minority had long enough controlled the legislation and the administration of the government, and that their power to do so was mainly owing to family wealth, ease, and devotion to political pursuits, the results of a social economy which was deemed a standing infamy, and the more distasteful that it bred pride, insolence, and a domineering spirit. If it had not been for the burthen of slavery, which it was apparently more difficult to cast off, than custom had made it easy to carry, the progress of both sections of the country would have been more equal and the causes of distrust and rivalry less developed.

That burthen being providentially and unexpectedly thrown off, after a little time for the recovery of the senses to a perfect comprehension of the great relief, and the adaptation of the system to the new condition, the sufferers will begin to be conscious of the real impediment to their thrift, and hail new and promising avenues to a sure and wholesome advancement. In common with the whole country, they need repose. We have all seen enough of the horrors and glories of war; now let us win the victories of peace. The fresh wounds should be permitted to unite by what the surgeons call the first intention, and not be festered to suppuration by strifes to gain or hold advantages, or by the jealousies and rivalries of parties or politicians. Let them so heal as to leave no broad, unsightly gaps witnessing to unskillful surgery, but only the slight cicatrix to mark a tender spot for tender handling. We need repose not only politically but financially. Without it gold and paper will fly so far apart that it will soon be to be guessed which is the basis of the other, or whether one is within a computable distance of the other. Even the present transient divorce is threatening enough, but unless the parties are speedily reconciled it will become perpetual. With an enormous debt we are enormously extravagant, and it seems as if our legislators thought that five hundred millions of national taxes might be raised forever because in a year or two of enthusiasm they have been cheerfully borne. It is

satisfactory to know that the country can do such things, but it is not pleasant to feel that they are becoming chronic.

One good result of the War of the Rebellion is the proof it has given of the wonderful strength and resources of a nation which has long been taunted with extravagant boasting of its greatness. We have been charged with an insolent and presumptuous spirit towards all the world, and it is a proper cause of glorying that we have displayed such valor and vigor as to command universal respect, and leave us at liberty to treat pride and reproaches with self-reliant indifference. We have shown a large and generous spirit, in war as well as in peace, a firm and growing courage in adverse circumstances, a liberality of blood and of purse both in the maintenance of our national life, and in the systemized and princely charities that smooth the wrinkled front of war, which history cannot parallel. So far as martial prowess is in question this single nation has led into the field and into the waters, from its own farms, hamlets, towns and cities, springing like the dragon's teeth from the very soil, armies and navies which all the warlike nations of Europe can hardly surpass for numbers, and cannot equal for intelligence, activity, genius, a cultivated public spirit, and love of country; armies and navies too, which, as if to belie all past history, disappeared, at the signal of leave, as magically as they sprang up, no man knew whither, to resume, unarmed and without a show of rioting or plunder, the very pursuits of peaceful life which they were as prompt to relinquish for their country as to fly back to for themselves. And here they are amongst us this day,—the remnants of five distinguished Oneida regiments, whom death and disease have spared,—wondering at the great events which their own eyes have seen as if in a vision, and happy in the success of contests which their patriotism prompted them to help on to victory. But those whom death and disease did not spare—where is the memory of them now? Where is the noble monument, piercing the skies and surmounted by the triumphant eagle gazing sunward and lofty, bearing in his beak our motto of "Excelsior"; and on which we see

the record of the men of Oneida who sacrificed their valiant lives on the battle fields of the south; of those who still live, maimed, crippled, diseased; of those who, surviving all dangers, displayed their patriotic earnestness and courage on many a plain now incarnadined with their own blood and the blood of their fallen compatriots? Where shall we find the thickly lettered tablets of marble or brass—to what majestic column affixed—which shall preserve in the grateful memory of succeeding generations the honored names of Wheelock, Jenkins, Bacon, Hunt, Buckingham, Throop, Curran, and others of the dead, equally dear to local remembrance, and equally generous of their blood and life, but whom, for want of such merited records, I do not now recall? But when I remember what names of revolutionary fame are still left unblazoned, notwithstanding repeated resolves of Congresses and Legislatures; that the monument to brave General Herkimer, voted more than half a century ago, still reposes in the quarry as quietly as the hero in his grave; that the tomb which private kindness erected to protect the honored remains of Steuben is all dilapidated, almost within a columbiad shot of this present standing place, unvisited and out of mind; my lips refuse to utter a word of reproach that the Oneida Monument Association has not accomplished within a year what Congresses and Legislatures have taken half a century to neglect; and console myself with the reflection of the Roman lyricist, that all these fallen brave have built for themselves, in the memories of all who respect patriotism and bravery, “a monument more durable than brass.”

It lacks but a single decade of years to round the full period of a century since the Declaration of Independence was proclaimed; and who will venture at the threshold of that short decade to prognosticate the vast advancement which it will witness to fill the century? What other nation could at the end of a hundred years show such a gigantic growth and spread; so broad and yet so compact; without colonies and yet with universal commerce; mistress of all human inventions of science, art, and industry; with inexhaustible mines

and lodes of gold and silver, of lead, mercury, and copper, of coal and iron; with railways and telegraphs stretching from ocean to ocean, and almost from pole to pole; with all the means and resources of war and peace within its own boundaries; with the most complete of practicable civil governments; adorned with education, letters, and wealth; the press and the conscience free; and lacking nothing but the lapse of other centuries to make it venerable? But looking beyond that decade, when the turbulent waves of our late commotion shall have fully subsided into an undisturbed serenity, "methinks" in the grand words of Milton, "I see in my mind a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks; methinks I see her as an eagle renewing her mighty youth, and kindling her undazzled eyes at the full midday beam"; a beam, let us trust, of the brightest and most glowing national prosperity that ever shone upon so many myriads of freemen under one propitious undivided government.

ADDRESS AT THE CABLE CELEBRATION IN UTICA,
SEPTEMBER 1, 1858

FELLOW CITIZENS:—The event which we are so jubilantly assembled to honor, is one which, although it was within human power to accomplish, is almost above human power fitly to commemorate. It is one of those special and conspicuous achievements of intellect, energy, ingenuity and boldness that surpass the skill of the tongue and the pen to laud and magnify. I feel as if it were almost presumptuous to make any attempt to say what would truly befit such an occasion. Inspiration prompted the songs of Moses and Miriam and David in honor of the great things which God had done for the people of Israel; and nothing short of inspiration can sufficiently glorify the occasion of our present joy and triumph.

When the same Israel fled from before Pharaoh and made that marvellous passage through the Red Sea, whose waters formed a wall unto them on their right hand, and on their left, the direct interposition of God was manifest. Human agency had little to do with the result. It was a glorious salvation to them, and was followed by an equally inglorious destruction of their pursuers; but man's energy, skill and power did not plan, or prosecute, or compass the wonderful event. It was the sole work of God in His majesty and omnipotence.

When Columbus persisted, in the face of the most vexatious and appalling discouragements, in cutting a path to a new world through a greater than the Red Sea, there was nothing more directly miraculous in it than could be compassed by man's own power of performing miracles. God was present and supporting His servant by the usual interposition of His

providence; but there was no such manifest and vivid presence and display of Omnipotence as flashed out during the flight of His chosen people from the oppressions and the flesh-pots of Egypt to the terrors and the manna of the wilderness.

So in respect to the gloriously consummated enterprise which has annihilated time and space between the two great worlds, one of which Columbus had the glory under God's guidance, of discovering and bringing into communication with the other, by the force of his genius and his personal characteristics of energy and persistence, and an ever unfailing confidence in the ultimate success of his cherished project. An indomitable will and purpose founded on a patient and intelligent study of facts and signs and theories, and a sagacious deduction from them, accomplished for him what, in his age and circumstances, may be deemed a miracle of success.

Contemplate the advancement of the world since his fortunate day. Observe particularly the strides which have been made in the art of navigation by human ingenuity and its studious application towards a mastery of the elements, from an uncertain dependence on the wind and the waves, to the triumph of steam over both; by which a voyage that cost Columbus many weary months can now be accomplished in a week. By the auspicious and sublime event which we are met to rejoice over, the same distance, for the purpose of transmitting thoughts and intelligence by a most mysterious and still inexplicable agency, is reduced to nothing. It is true, we can not now, and perhaps we can not ever, by this wonderful agency, transport ourselves or our products across the Atlantic; but we can discharge our thoughts and words through three thousand miles of water and of land with the speed of lightning, making due abatements for the manual processes of recording and transcribing into the common languages of mankind, the communications that electricity conveys to and fro by conventional signals. What yesterday, or even this morning, transpired in London, or in Paris, or at The Hague, might be communicated to you this instant from this platform; yet, but one month ago, there was no possible, or rather

it should be said, no existing channel of communication from those meridians which could convey to us any message that, by the time it reached us, had not already become stale, flat and unprofitable at the point from which it started. However fresh it might seem to us, it was already corrupted there and its vitality gone forever. It would seem, if it may be said without irreverence, as if God's question to Job were now affirmatively answered: "*Canst thou send lightnings that they may go, and say unto thee, Here we are?*"

It is gratifying to contemplate, further, the aid which the talents, ingenuity and enterprise of our own countrymen have from time to time contributed towards the completion and enjoyment of the accomplished fact which we now commemorate. It was Franklin who first audaciously, but gently, seduced the lightning from the skies by his silken cords of attraction, and made it as playful and obedient as the toy that drew it down. It was Fulton who subdued the mighty power of steam, and on the waters of our own Hudson trained it to the purposes of navigation. It was Morse who tamed the lightning more efficiently than Franklin did, and on the same Atlantic which now transmits, by his own contrivances, constant tributes to his fame, devised the means of making it subservient to the practical uses of man, as the other defended man from its violence. It was he who taught it to speak in a still small voice, instead of the appalling voice of thunder, and to record its whisperings from one end of the earth to the other. It was Maury who picked out from the vast profound of the Atlantic the plain of the ocean-bed that combined the least depth, and the most uniformity of surface, with the least distance from the new world to the old. It was Berryman, who in the *Arctic*, verified by actual soundings, the existence of that very plain. It was Browne who invented the instruments necessary and efficient for making those soundings. It was Morse again who suggested, and it was Field who, like a second Columbus, energetically prosecuted to success, in the face of dangers, repeated failures, and the despondency of other men's hearts, the audacious enterprise

of an electrical connection between America and Europe. It was Everett whose mechanical and engineering talents provided the effective machinery for laying the magic line which now connects the hemispheres. It is Hughes to whom we look for the most perfect means of passing and recording the messages that are henceforth to flash intelligence from shore to shore, illuminating, not—as the lightning does—a little space here and there, but the whole world at once.

Nor should we forget the devotion of Hudson and his subordinates of the *Niagara*, and their intrepid perseverance and activity which so largely contributed to this international success; and may we forever remember, to his honor and the honor of our navy, that he and they had the grace and true Christian manliness, on the happy termination of their hazards, to fall down and praise the great God who had safely conducted them to the haven where they would be, and crowned their labors with such a signal glory.

But the glory is not wholly theirs and ours. It is divided, by a singular providence, with a people from which this people, with the help of men now living, severed themselves by violence and arms. In some respects the severance was unnatural; and it has been kept up, in feeling at least, and quite as unnaturally, until good sense and a common interest have predominated, and we have united in cherishing mutual relations of amity and commerce, which we have now happily corded and cabled together by a seven-fold ligament, which we trust may never suffer any "solution of continuity," nor any defect of insulation.

Our British allies in the great enterprise contributed a large portion of the pecuniary means, three out of four of the vessels, the manufacture of the cable laid, and a good proportion of the skill and efficiency engaged in the whole work. They also contributed the service of the *Porcupine* steamer to explore the depths and mysteries of Trinity Bay and to pilot the *Niagara*, with its part of the electric coil, to its place of final deposit. The officers and subordinates of the *Agamemnon*, the *Valorous* and the *Gorgon*, of the British Queen's Navy, as

well as the men of science and engineers attached to the expedition, can never be omitted in any ascription of praise for the good conduct which, in despite of reverses and many most imminent dangers, enabled the common efforts of all to solve, satisfactorily, a great problem, which has stirred the minds and sympathies of all civilized men.

The submerged Atlantic cable is the result of manifold experiments, deductions, inventions and discoveries in science and art, which, considered separately, are almost as wonderful as the final success of their combined application. Think how many lives have been exhausted, what ingenuity has been taxed, what empirical theories have been laboriously matured and practically verified, what astonishing discoveries have been made in the various arts and sciences, all of which have been directly or remotely subsidiary to the accomplishment of this single enterprise. The occult and mysterious powers of nature have been subjected to human experiment and scrutiny for the purpose, if not of wresting their secrets, at least of applying their forces to the uses of man. Electricity and steam have been trained into governable and docile motive powers; the most complex and beautiful of mechanical inventions have harnessed them in, and subdued their mighty and terrible energies to the control of almost the weakest human intellect. The genius, study and unintermitted lifelong labors of astronomers, of mathematicians, of electricians, of chemists, of engineers, and of mechanicians, have all been contributory to the grand consummation of an experiment which proves the practicability of girdling the earth, in one way and another, more successfully than Ariel could, with an electric power controllable by man—that same power which in its freedom, its might, and its awful sublimity, is controllable by God alone.

For the ultimate success of this remarkable experiment, it was to be considered that although on land great distances could be electrically traversed with instantaneous speed, by the aid of relays of electrical power, no such auxiliaries could be provided over two thousand miles of tempestuous seas,

because there could be no fixed stations for the reception and repetition of messages. It was therefore necessary to know whether an electric force sufficient to communicate intelligible signals, with sufficient rapidity, could be brought to bear through two thousand miles of wire. Should that happen on land, would it also succeed at the bottom, and under the weight, of the great ocean? Then whereabouts in the great ocean could the transmitting wire be most safely and economically submerged? What track offered the shortest distance, the shallowest depths, the securest submarine grounds, the slightest currents, and the best terminal points for communication with existing or probable land lines of telegraph wires? What form and composition of Cable would combine the least ponderousness, with adequate strength to maintain lasting continuity, adequate protection to insure lasting insulation, and adequate flexibility to be coiled and uncoiled, without disastrous knot or kink, so as to be readily and safely deposited through two miles' depth of turbulent and tempest-tossed waters? How should it be laid? By one vessel charged with the whole Cable and the whole work, and starting from one land terminus to the other; or by two or more vessels dividing the Cable and the work; and then should they both or all weigh anchor simultaneously and accompany each other, or should each start from a different terminus and meet in mid-ocean, or should they rendezvous in mid-ocean and thence each seek its own terminus? With what machinery should the immense coil of Cable be paid out so as to regulate its strain upon its own strength, and its strain upon the vessels carrying it, and so as to reach a sure resting place at the very bottom, without dangling from peak to peak of submarine rocks, hills and mountains, and severing its continuity by abrasions?

Here were questions to be solved (and there were many besides) that tasked the utmost powers of human ingenuity and calculation, and in their ultimate solution they demanded aid from all the garnered experience in physical science and mechanical art and inventions from the time of Tubal Cain to

this day. They also demanded experiments and contrivances, before untried and uninvented, for their full solution. In short, the event which we this day commemorate was the only full practical answer.

It would be difficult to explain here, without tediousness, the way in which all these problems were theoretically disposed of. As I just said, the *result* has practically disposed of them; perhaps not in the most absolutely satisfactory manner, but in a manner satisfactory, as the lawyers say, to a common intent. The end has been achieved. The experience already gained, the present use and working of the wires, the further experiments to be made, and the various inventions and tests which will doubtless be applied by ingenious and experienced chemists and electricians, to obtain the most efficient control of the electric power for signaling and recording messages, will soon, if not immediately, set all doubts at rest.

The particular route finally chosen for the laying of the Cable, is the one which the laborious and ingenious deductions of Lieutenant Maury, from a vast multitude of nautical reports and observations, satisfied him was not only the shortest from land to land, but that it was at the same time the shallowest, and likely to be the most free of any from those disturbances that might obstruct both the laying and working of telegraphic wires. The accuracy of his deductions was subsequently verified by the deep sea soundings made by Lieutenant Berryman, under the direction of Professor Bache (the superintendent of the coast survey, and a descendant of Franklin), in the vessel *Arctic*, with the aid of Lieutenant Brooke's ingenious apparatus for sounding great depths and fetching up specimens of the oceanic sub-stratum. The soundings fixed a depth of about two miles down to the singular sub-oceanic ridge or plain, extending from Newfoundland to Ireland, on which the Cable now reposes; while they established also the fact that at a little distance on each side of it, there was a depth of about four miles to the bottom; thus verifying, in a remarkable manner, the great accuracy of Lieutenant Maury's

closet inferences from a mass of log-books and other scattered nautical information. To him, therefore, and to those who helped him to his materials for observation, and to the verification of his deductions, is due the credit of fixing the best natural line for the Cable.

It happened that both ends of this route across the Atlantic must terminate at points not within our jurisdiction and control, and both of them within the jurisdiction and control of the sovereign of Great Britain. That our government should have been somewhat reluctant to send its best war steamer, with its officers and men, for an uncertain time, and to pay a considerable annual subsidy besides, in aid of a telegraphic enterprise which nature and science dictated should have both its accessible ends laid on foreign soil and under foreign control, is not very singular, when we reflect how selfish and grasping statesmanship is apt to be. It always wants to handle at least one end of the rope, and prefers both. No wonder that Field should have been advised to hide his audacious head, fruitful of energetic plans, in some obscure purlieu of Washington, so that the friends of his project might not be embarrassed by his obnoxious presence, and his suspicious personal solicitations of public aid. It was natural enough for Congress to reflect that in times of national hostility, both ends of the great line of electric communication would be within the control of a possible enemy; of a nation with which we had already twice been engaged in severe encounters, and with which we had still some questions to adjust, now happily adjusted.

It is a gratifying example of international courtesy and magnanimity that, all doubts waived, two powerful nations, able to hold the world in their hands, should have so cordially concurred as Great Britain and this Republic have, from first to last, with combined determination and energy, in the prosecution and consummation of an undertaking the pecuniary hazards and profits of which are private, while the great results are universal. It augurs well for the peace and unity of mankind that the Lion and the Eagle dwell together, and

for the diffusion and advancement of science and of art that there should have been such a free and liberal co-operation to effect a purpose which opens the world to scientific and mechanical experiments, the casual effects and ultimate ends of which no man can foresee or appreciate. Great questions are yet to be solved which require universal and instant intercommunication for their solution; and wits will now be set to work by the vibrations of the new electric cord which have heretofore found no field ample enough to excite or exhaust their powers.

Much as is to be anticipated for the advancement of science and art as a sequence of this successful experiment, which must necessarily end in connecting all the civilized parts of the earth by wire and cable, its practical advantages to mankind in what may be deemed by many as matters of more immediate concern, should be considered. The question is daily asked, "Of what use, compared with its great expense of time, labor and money, can the Atlantic cable be? How is it important that we should receive or send news in an hour or two, rather than in a week or two, when we can receive or send nothing else more promptly than we could before?"

Such questions can not be fully answered until time and experience answer them. They may be partly answered, however, with sufficient distinctness and satisfaction. The first message of news, properly so called, after the news from Valentia Bay announcing the successful completion of the work of laying and securing the cable there, was the announcement here, almost simultaneously with its announcement in England, of the opening to the intercourse of all nations, and to the introduction of Christianity, of a Pagan country, with a vast population, that with a singular policy, and an equally singular pertinacity in adhering to it, has for hundreds of years secluded itself from a general intercourse with the rest of the world. In a commercial view, the importance to this country of knowing as soon as England did of the occurrence of such an event (which we should not have known so soon as we did by a week or more but for the promptness of the sub-

merged lightning) may possibly be estimated by a sum that would pay a year's income on the cost of laying the cable. A free admission for trade and commerce to the immense market of China, is a great opportunity of which we of this country desire to get the earliest advantage. A week's delay in receiving the news of it, would give England a fortnight's start of us in dispatching those articles of commerce which China demands, and some of which we are as capable of supplying to her needs as England is, and can possibly sell in the Chinese market cheaper than she can. Our merchant adventurers, who have already dispatched cargoes to the ports of China, will probably dismiss all doubts as to the value to commerce of the great Cable, when the profits of their ventures are realized. If we can know as soon as England does the changes in the value of marketable products in any country, that we can supply as readily and advantageously as she can, that simultaneous knowledge puts us on an equal footing with her in a competition for commercial gains. Commercial men will fully appreciate the vast benefit that such prompt intelligence as the electric messenger has already proved itself able to transmit will confer upon them, and indirectly upon all classes of the community. A week is often a very important period in the transactions of commerce, and even a moment is of account. To-day a cargo of cotton or of wheat may find a profitable market; to-morrow it may prove a loss. Every triumph we can gain over time and space, whether by steam or by electricity, or by whatever other agency God suffers us to control to our uses, is an immediate and certain benefit to the race, and in that aspect of it no man should doubt that among the agencies that tend to human advancement and happiness, the transmission of electric messages wherever a wire can be suspended or a cable laid, is not the least.

An ingenious fellow citizen, the superintendent of our principal telegraphic line, has embellished our jubilant display with a series of symbols illustrative of the various modes in use from time to time for communicating intelligence. He very properly begins the series with Noah's dove, which was

the progenitress of a host of messengers that until the invention of gunpowder could not be excelled for speed, and not until the invention of electric telegraphs could any written intelligence pass by any other mode of communication with equal celerity. A carrier pigeon, with a letter under its wing, could equal if not outstrip the velocity of the railway locomotive; but after centuries of competition man has devised in the electric wire a speedier and surer messenger.

The second symbol in the series represents the Celtic signal, which was by fire or light; but it must have been invented long before the Celts or the Highlanders figured in history; for it was the signal by which Hero apprised her lover of her presence at their usual rendezvous, and guided him in his nightly swimmings across the Hellespont, until such time as he was unfortunately submerged where no telegraphic messenger lay to give speedy information of the sad extinguishment of his love and his life.

Sir Walter Scott has vividly described the Celtic signal—the cross of fire—and its efficiency in rousing to arms and battle the clans of the Highlands:

“Fast as the fatal symbol flies,
In arms the huts and hamlets rise;
From winding glen, from upland brown,
They poured each hardy tenant down;
Nor slack’d the messenger his pace;
He showed the sign, he named the place,
And pressing forward like the wind,
Left clamor and surprise behind.
The fisherman forsook the strand,
The swarthy smith took dirk and brand;
With changèd cheer the mower blithe,
Left in the half cut swath the scythe;
The herds without a keeper strayed,
The plow was in mid-furrow stay’d,
The falc’ner toss’d his hawk away,
The hunter left the stag at bay;
Prompt at the signal of alarms,
Each son of Alpine rushed to arms.”

Several of these symbolic designs partake of a local character, and on such an occasion as this it is proper that we should not overlook or forget in our enthusiasm for a grand event, affecting the intercourse of the whole world, the part which our own locality has contributed toward the spread of that intercourse. Much, it may be said with no unbecoming pride, have our progenitors and some of their associates and successors who are now present, done towards accomplishing it.

I well remember the late Jason Parker, as a boy may remember a genial and kind-hearted neighbor, who allowed him to make free with his orchard, and with the good fare provided by an estimable wife, who had a very exact appreciation of the appetites and tastes of children—her neighbors' as well as her own—and well knew how to combine the useful with the sweet. Years ago, when this city was hardly a hamlet, Mr. Parker undertook to diffuse intelligence by carrying the mails between this place and Albany. With characteristic modesty, and above all the show and pretension which he might have been warranted by his position as a government subordinate to indulge, he bestowed these important mails, protected by a bit of brown paper, in his pocket. In the course of human progress and the advance of intercommunication by letters and newspapers, saddle-bags became necessary auxiliaries to the pocket. But even this capacious addition to his conveniences, soon proved inadequate to the magnitude of his trust; and he was gradually inforced to double and quadruple his force of horse, wagon, and coach power, until a one man power was incapable of managing the vast concern. In this emergency he called in the aid of men whom we daily see about us, and recognize as men of energy and the cordial promoters of all useful enterprises. He and they set up the first Telegraph line I ever heard of, in the shape of four-horse coaches limited to nine insides, and as many outsides as could bribe the driver. This telegraph communicated signals through the medium of passengers and mails, at the then unprecedented rate of six miles an hour. It was a lamentable

falling off from the velocity of the first recorded dispatch brought by the dove to Noah; nor did it equal the dispatch of railways, which Parker did not live to see invented to overturn his favorite system; nor the dispatch of electricity, which he only knew by observing how quickly the thunder responded to the glance of the lightning in those early days, when lightning and thunder were still untrained and unharnessed, and sharper and quicker, more vivid and more resonant than they are now.

Some of Mr. Parker's associates and successors are memorably associated with another symbol. The second line of electric land telegraph that was ever set up in this country, if my memory is right, was mainly due to their enterprise, and now occupies the ground formerly traversed by the four-horse telegraph of Parker. It would be suitable to the occasion, had time been allowed for a proper study of the subject, to present to you some history of the origin and advancement of both land and marine telegraphs; but to do so satisfactorily would involve investigations in the widest fields of science and invention, and a laborious gathering of scattered fragments of information from ponderous volumes and fleeting newspapers, demanding patience and application unsuited to a spontaneous and extemporaneous jubilee.

Still another of the symbols I have alluded to, is commemorative of an enterprise in which some of our citizens are at this moment engaged—an overland mail route to the Pacific Ocean. That the end will be accomplished is not to be doubted; and it would hardly be a marvel if those who are principally concerned in its success should bring with them on their return from the Pacific coast the hither end of a telegraphic wire duly hitched to their several stations, and connecting St. Louis with the terminus of a submarine cable to be laid next year, or sooner, through the Pacific to the great Central Flowery Land, whose monosyllabic language was apparently designed from all antiquity for the convenience of telegraphy.

To bind the world together by a concentration of the mani-

fold scientific discoveries and mechanical inventions and arts contributed from all quarters of it, and through all time, in a simple cord that throbs instantaneous pulses of intelligence to every part, is an achievement that will not only exalt and glorify those who have accomplished it, but should be hailed with joyful acclamations by the whole earth and all the inhabitants thereof. We have spontaneously and heartily contributed our offering to the general jubilee; and in behalf of all who are interested in the remarkable event, I congratulate you upon its success. It foretokens a day of universal harmony, when the nations of the earth shall not learn war any more; when all tongues and kindreds and people shall loudly proclaim what the quiet messenger that is now inaugurated has just whispered to us from beyond the waters, "on earth peace; good will towards men."

ON TEMPERANCE.

PERHAPS enough has already been said, Mr. President, within the last two or three years, upon the subjects involved in the resolutions before us, to settle all minds that take an interest in them into a decided opinion on one side or the other. For my own part I confess, that discussion, so far from unfixing the notions I have always entertained since the question of modified or total abstinence was first agitated, has only served to fix them the more strongly. I am now, more clearly than ever, of the opinion, and every day's experience confirms it, that the pledge which has crowned the efforts of the temperate with such distinguished success, is the only general pledge that could have effected the object. But as it is of the greatest importance that public sentiment should be correctly guided, and as every man's views may have their weight in that respect, I hope I may be pardoned, if, with the humility of Elihu of old, "I also show *mine* opinion." It was a very sensible remark, Sir, of the same Elihu, that "great men are not *always* wise." If they had been, we should not probably have witnessed that misdirection of effort which has caused so much distrust and distraction amongst the friends of the cause of temperance. But there is a spurious sort of wisdom—a wisdom above what is written; and misled by its false lights those who have been looked up to as the prominent leaders in this great reform, appear to have wandered abroad, like the philosophic vagabond of Goldsmith, "seeking after novelty and losing"—not exactly "content"—but what is of far more general concern—weight and influence. If the old pledge had been adhered to and no novel questions raised respecting it, instead of the distraction of views which has

paralyzed our efforts, we should still present the irresistible argument that unanimity in a cause always exhibits. But unfortunately, zeal has effervesced to the extinguishment of prudent counsels; and we are now almost in the situation of a household divided against itself. It is evident to every man that we hardly *stand*.

Let us look a little, Sir, into the history of this Temperance Reformation, and trace the footsteps of those who led the way in it.—An excessive indulgence in ardent spirits was undoubtedly the prevalent vice of our countrymen. To erect some salutary barrier against this indulgence, and check the evils with which it threatened to overwhelm us, a pledge was suggested, simple in its terms and personal in its effect, which laid a prostrating blow at the vice that was spreading itself in such noxious luxuriance. The contest was begun with *drunkenness*, and we can well remember that it was long a contest against most fearful odds. To secure a victory it was found that a proscription was necessary—not of *all* that could intoxicate—but of all that was the common and usual means of intoxication. To banish these was thought a sufficient triumph.

But, Sir, while we were in the career of victory—in that spirit of improvement for which the present age so modestly and so lavishly commends *itself*—(I hope, Sir, posterity may not discover that we have really taken some sad steps backward!)—in that spirit of improvement, the pledge was discovered to have become to a certain extent *ineffectual*;—precisely, I suppose, to the same extent that it had become old and common. It is the reproach, Sir, of this unstable generation that we are constantly bent on discovering what Solomon in his day admitted to be past searching for—some *new* thing under the Sun. Therefore there must be a *new* pledge and a *new* contest also; for whereas we had hitherto been contending with a gross vice, *drunkenness*; we are now desired to enlist against a mere element, *alcohol*.

Sir, I appeal with confidence to every man who is acquainted with the subject, and who thinks with candor, when

I assert that no cause was ever more prosperous, or more likely to become universal, up to the time of this change of hostilities, than the cause of temperance. It was a popular cause, for the moderation and prudence with which it had been conducted; and the benign results it was accomplishing, had won all hearts to favor it. It was a cause that knew no parties within itself, and no distinction of parties externally. It had for its foundation a principle which met with almost universal commendation;—which while it aimed directly at the extinguishment of a general vice, was not so exclusive in its character as to leave no room for the exercise of unconstrained individual virtue. It sought by gentle means to rectify a gross error which public opinion, if it had not sanctioned, had overlooked—*not* to restrict men to a path so narrow that not to deviate was almost impossible, and then to chide them for a false step aside. The constraint of moderation, Sir, is one thing—the constraint of exclusion is another; and while the one is always certain to be a virtue, it is frequently to be suspected that the other is at least a weakness.

It is a truth, Mr. President, not to be concealed, that since the autumn of 1833 when, in this very spot, the State Temperance Convention began seriously to agitate the question of total abstinence from all that *can* intoxicate, the cause of temperance has been gradually subsiding—in *this* region at least—into quiet and apathy. What was at that time perhaps mere prophecy has already become sad experience. We were forewarned that by tampering with the pledge we should stagger the minds of multitudes who regarded our past efforts with approbation, but who thenceforth would begin to look upon the future with distrust. And is not the event so, Mr. President? Have we not observed with pain that zeal has far outstripped discretion? That a certain *good* has been sacrificed in the pursuit of an uncertain *better*?—Never, to my mind, was there a more forcible illustration of the truth of that description of zeal which the venerable Hooker has given in one of the books of his *Ecclesiastical Polity*. It is as applicable in its general outlines to the subject in hand as it is to religion

—altho' religious zeal is what it was designed to portray.—
“Zeal, unless it be rightly guided, when it endeavoreth most busily to *please* God, *forceth* upon him those unreasonable offices which please him *not*. For which cause if they who this way swerve be compared with such sincere, sound, and discreet as Abraham was in matter of Religion; the service of the one is like unto Flattery, the other like the faithful sedulity of Friendship. Zeal, except it be ordered aright, when it bendeth itself unto conflict with things either in *deed*, or but *imagined* to be opposite unto religion, useth the razor many times with such eagerness that the very *life* of Religion itself is thereby hazarded; through hatred of *tares*, the *corn* in the field of God is plucked up. So that zeal needeth both ways a sober guide.” In this cause, Sir, I fear this sober guide has been most sadly wanting, or its admonitions most sadly unheeded. The razor has truly been used with such eagerness that the life of the cause has not only been hazarded, but as it were, let out; and in our anxiety to clear the field of its tares, we are making pitiful havoc amongst the *corn* also.

The tendency of this ill directed zeal in one particular to which I will call your attention, is of a character to sicken one with this machinery of associations to bring about a reform, and almost makes a man blush for those with whom he is associated. The friends of total abstinence, in order to cover the whole ground, have found themselves compelled to tread on ground that is holy; and we have seen things spiritual strangely, I had almost said profanely, mingled with things temporal, in some of the discussions on this subject. It was evident that an unqualified pledge involved the abandonment of the use of one of the elements of a sacred ordinance; an element which we have the authority of Scripture for saying has been, even in that holy rite, most shamefully prostituted to sensual indulgence; and we have therefore further witnessed a willingness on the part of some to violate an express injunction of Sacred Writ, in order to *carry out a principle!* Sir, are not the men who are ready to make such a sacrifice of their obedience, to be distrusted in point of discretion? Are

they the proper men to conciliate a gainsaying and hostile world to the object we have in view? Are they not rather the men who in truth will be found, unconsciously I doubt not to themselves, the greatest obstacles to the success of the cause?—I remember to have read that amongst the earliest heretics that received the condemnation of the Christian world was a sect called the *Hydroparastatac*, who abolished wine from the Eucharist and substituted water. I did not expect that a sect so soon forgotten, would again have arisen to trouble the world, and distract a good cause, with controversies; and I can only hope that the modern *Hydroparastatac* may meet with the same disfavor that overwhelmed their forefathers of sixteen hundred years ago.

One would naturally suppose, Mr. President, that those who are ready to go to such a length as this, would have left no room in *their* pledge for doubt or equivocation. But, sweeping as it is, it does not, after all, cover the whole ground. It leaves more stones to turn—room for further agitation and division—for controversy, and for improvement. It is not beverages only that intoxicate; and though all these be excluded, from alcohol to coffee, the pledge is still incomplete. Opium intoxicates; and many an ingenious man has taken refuge there when all other resorts were forbidden. Tobacco intoxicates; but there is a potent charm and spirit in the weed that not all the enchantments of total abstinence can exorcise.

In my opinion, Sir, the merit of our present pledge consists in this: it is emphatically a pledge for the *many*; that of total abstinence, though designed to be a pledge for *all*, will be found practically to be a pledge for the *few*. While our present pledge defines distinctly the class of intoxicating drinks, which, from their greater power of mischief, we all unite in proscribing, it is still a temperance pledge, exclusive, it is true, as to a most obnoxious class of beverages, but only restrictive of excess as to the rest. Certainly every man who signs it will deem himself bound to temperance in all respects—but what is temperance? It is not utter abstinence surely.

The very term imports a *use* of the creatures of God's bounty; so to use, however, as not to abuse, and such to use as may be used moderately without injury. "Wine" says the son of Sirach, a wiser man perhaps than any of this wise generation, "wine is as good as life to a man if it be drunk *moderately*." Moderation, Sir, implies restraint, and not exclusion. And as good a man as any of us, the saintly George Herbert, whose pure and modest life was a practical illustration of his pure doctrines, never thought of that rigid abstemiousness which is now sought to be inculcated. His advice is only

"Drink not the *third* glass; which thou canst not tame
When once it is within thee; but before
May'st rule it as thou list and pour the shame
Which it would pour on thee upon the floor.

"Stay at the *third* glass: if thou lose thy hold
Then thou art modest, and the wine grows bold.

If *reason* move not gallants, *quit the room*.
(All in a shipwreck shift their several way.)
Let not a common ruin thee entomb,
Be not a *beast* in courtesy—but stay—
Stay at the *third* cup, or forego the place."

The Scriptures on this point teach us the true medium—for while excessive indulgence is denounced, moderate enjoyment is nowhere forbidden, but everywhere allowed. The use of the bounties of Heaven is freely permitted; but the abuse of them is threatened with the severest penalties of God's displeasure. Strong drink is nevertheless continually reprobated; but wine never, except in excess. Shall we then impose upon ourselves further restrictions than inspiration has dictated or required; or resort to the prohibitions of the Alcoran to make good the oversights and deficiencies of the Bible?

The truth is, Sir, "In medio *tutissimus* ibis"—You go

safest betwixt extremes—is one of the best and most prudential maxims of action that the experience of the past has confirmed. In individual cases it may not always be applicable, and arguing from these we are apt to be misled; but in social affairs it is a precept of inestimable value, and founded upon that knowledge of the world which is only to be attained by those who mingle constantly with it. A desire to reduce abstract propositions, of which nobody denies the truth, into every day practice, is an egregious failing of the age; and threatens in its results to vitiate much that is good and destroy much that is valuable. It has already, on many questions, excited doubt, when doubt is danger; and unfixed opinions, when instability is ruin.

I hope to be indulged, Sir, a moment longer while I examine the resolution submitted for our consideration by the Executive Committee. It consists of a recommendation and an opinion. The recommendation I cannot agree to, because it either involves the whole principle against which I contend, or else convicts us of a manifest inconsistency. I will not recommend what I am not prepared to enforce by my practice. Whenever I am ready to join in such a recommendation as this I shall be also ready to sign the utter pledge. Neither can I say that our pledge is an effectual one if I concur in the recommendation; it in fact stands condemned for inefficiency—for a manifest failure in carrying out its object—if the recommendatory part of the resolution be our opinion of what is incumbent upon us. The members of the resolution do not stand well together—and in my opinion the recommendation deserves to fall.

But we have been presented with a substitute which is probably as near an approach to union of sentiment as can be obtained. It passes a just eulogium upon our present pledge; and while it contains an expression of respect for the *motives* of those who are exclusive in their practice, it neither involves us in a practical inconsistency by commending their example, nor obligates us to follow it. On the contrary, it deprecates the embodying of their views into our pledge, on the ground of

the great and lasting injury which the mere attempt to do so has already produced. This, Sir, is not a mere suggestion of the fancy. The reports on your table will show that for some reason this great cause is at a stand; and it requires no wonderful penetration to discover the true reason. I believe that the substitute has hit the exact one; and whatever vote may be taken here, I shall be none the less satisfied that the truth is as stated in this resolution. I have no objection to individuals binding themselves to the most strait laced pledge that can be devised; but I do object to the attempt to divert the current of public opinion, which now flows in a broad and sweeping channel, into a channel which must necessarily be more contracted, and therefore less beneficial. We have gone far enough, Sir, in individual sacrifices to the high pressure principles of the day. For one I will not consent to be urged by enthusiasm beyond the line which my own sense and conscience dictates to be the proper boundary of sacrifice and duty. I do not desire that any, great or little, should be scandalized or offended by any act of ours; but while I am willing to do all that becomes a social being, in the furtherance of a good cause, I am disposed to resist that rashness which, while seeking after theoretical perfection, will lead us by retrograde steps to the point from which we originally started.

ADDRESS TO THE ALUMNI AT GENEVA
COLLEGE, 1844.

THE lapse of a quarter of a century of almost uninterrupted tranquillity has left the civilized world at leisure to pursue advantageously the arts and studies which adorn a state of repose, and which contribute most liberally to human refinement and happiness. Military ambition, in other ages the chief ambition of the manly, has lost the sway that for centuries it has been accustomed to exercise without any formidable rival. The thirst for glory is no longer a thirst for the bloody renown of arms, but for the more quiet honors of successful statesmanship, of literary fame, of professional excellence, of superior mechanical ingenuity; or for what is more commonly attractive, the acquisition of wealth, and its temporary influence.

This state of quiet has been highly favorable in its effect upon the human character. It has done much towards refining the civilized, and towards civilizing the barbarous. The peaceful virtues have thriven under its benign dominion until they have attained a root and a spread that seem to secure their uninterrupted growth and fruitfulness, and to enable them perpetually to withstand the storms with which a warlike ambition may yet darken and deform the world. The temper of this age, energetic enough and bold enough, is still, notwithstanding an occasional ripple on the surface of affairs, averse from commotions more violent than the common excitements of politics, the enterprising ones of commerce, the bustling ones of business, or the heated ones of opinion. Its temper is essentially, so far as physical strife is concerned, a peace-loving temper, either from motives of in-

dividual self interest, or from a pure attachment to peace for its own sake; and nothing but a keen sense of justice outraged, of public faith egregiously violated, of flagrant and intolerable wrong committed upon acknowledged and unequivocal rights, can at this day, among civilized nations generally, provoke the rusting sword from its scabbard, and involve men, attached to calm pursuits, in the horrors, privations, and wickedness of a state of warfare. In proportion as they become enlightened, and imbued with the serene and composing influences of religion, reason and negotiation wisely settle those disputes which in more ignorant and passionate times are referred to the rash arbitrament of arms.

An exception to these remarks may perhaps be found in the case of governments to which the desire of conquest, long indulged, has become, like habit, a second nature. It seems impossible for England to be satisfied with anything short of a universal dominion; and while other civilized nations are reaping the rich and wholesome fruits of peace, and, without shedding a drop of blood, are acquiring a glory far more excellent than that of conquest, England alone is wielding the sword against unoffending and defenceless people, to obtain an empire destined to fall to pieces of its own vastness, and perhaps to overwhelm herself amidst its ruins.

It was the lamentation of a great man and an eloquent writer, astonished by a particular instance of outrage upon a celebrated queen, that the "Age of Chivalry was gone." Except in such particular instances, and without denying any reasonable claims it may have to the gratitude of posterity, we may rejoice in its departure as a blessing to the world. The present generation of men is moved, on the whole, by better impulses and better directed, than those which governed the age of chivalry. It is a generation devoted to science, to the arts, and to the laudable pursuits and business of peaceful life. The age of chivalry was an age of valor, of courtesy, and of honor; but it was an age of convulsion, of public warfare and private feuds. The present age is an age

of serenity, of public quiet and private happiness. The age of chivalry was an age of barbarism in the multitude and refinement in the few; the present age is an age of useful intelligence diffused among all classes of men.

This, in truth, is an honorable characteristic of our times and country over all which have preceded them of which we have any authentic and detailed memorials. I do not know of a period, even when philosophy and the arts flourished most vigorously among those nations of antiquity which are regarded as having fixed the standard of all that is elevated in intellectual effort, that in this particular can be compared with the present. The sun of knowledge, like the sun in the firmament, sheds his rays upon all; not upon all with equal effulgence; but so that all catch either a direct or a reflected beam which brightens their faculties and better qualifies them to discharge the duties and appreciate the true enjoyments of life. The spread of Christianity, which has multiplied teachers of sacred knowledge, and which more than anything else tends to enlighten and refine; the fecundity of the press, which scatters its offspring in such boundless lavishness that even the humblest possesses what in former times would have exhausted the treasures of a prince; the rapid and vast improvements in mechanical knowledge, which compel the lowest artisan to sharpen his ingenuity and extend his observation if he would keep pace with his calling; the multiplication of elementary schools, as well as of those which aspire to the elevations of science and literature; the general instruction of the female sex; the common establishment of scientific and literary associations; the advance of liberal principles of government, tending to endue the mass with their due influence in its administration; all these, individually and collectively, stamp our times with an impress that must forever distinguish them from the past, and mark a conspicuous era in the history of human advancement.

Trite as the topics may be deemed, it would be an interesting and a useful examination to enquire how far each of the causes alluded to has been, is, and is likely to be influential

upon mankind. But even if we possessed the memory of the past and the foresight of the future which such an investigation might demand, it would involve us in researches and comparisons that would occupy more time and industry than your patience or my pursuits would tolerate. It may not be amiss, however, to touch briefly upon some of the most prominent; and as first in dignity and influence, to observe the effects produced by Christianity, not so much in regard to its religious, as to its moral and practical bearing, and more particularly as the most powerful auxiliary in the diffusion of intelligence.

The dawn of Christianity was the revealing of a more genial light than ever had poured its rays upon the human mind, or sped a beam to the heart of man to disclose its corruptions. Until the rising of this light, the whole human race, with the exception of the Jews, had no more lucid moral illumination than the glimmerings of the law of nature and the dicta of heathen philosophy. Forty centuries had done far less to diffuse and impress moral truth than eighteen centuries have since accomplished. The world was then what a moiety of the world is now: degraded by the worst and absurdest idolatry and superstition. Even the peculiar people of Heaven, favored of old by a more direct revelation from God than any other people, and the chosen repository of that portion of Divine truth committed to human keeping, had allowed the lamp of celestial light, of which they were the guardians and ministers, to become incrustated so that it now cast but the sickly rays that portended its final extinction. The surrounding nations were clouded by a spiritual darkness that, like the darkness of the Egyptian plague, might be felt. From the midst of this obscurity was unostentatiously unfolded that more glorious emanation which Christianity displays, and which has gradually infused into the minds of men a repugnance to the open and unrestrained indulgence of those natural passions which, among pagan nations, direct their public policy and control their private conduct. The philosophy of the schools, brilliant as it was, was never effectual

to this end. True, it taught opinions which were received willingly enough as abstract propositions; but they had not much moral force, except among philosophers themselves, as the guides of conduct. The precepts of Christianity have been more influential. Viewing them as a simple code of morals they embrace the elements not only of civilization but of refinement. Peaceful in their spirit, they have gradually diffused the spirit of peace; and without legitimately employing a warlike weapon to force their triumph they have achieved a conquest over the passions and the intellect, which speaks more forcibly than a thousand arguments in behalf of their Divine origin.

It is as impossible that Christianity should spread, without at the same time spreading light and knowledge, as that the sun should shed his beams without imparting heat and illumination. Its progress may be slow; but being the progress of truth, it is certain. "The eternal years of God are hers." If not intelligence itself, it proceeds from the very Fountain of Intelligence; and however it may be clouded by the glosses of its teachers, there is that in its direct and simple communications which opens the eyes to practical truth in morals, and imparts a knowledge of right and wrong in act and intent beyond any knowledge derived from the finest systems of heathen philosophy. It has not only made better men, but sounder sages than those of pagan antiquity. It is one of its crowning triumphs as a code of moral science that the profoundest intellects have bowed to its precepts and confirmed its truth; and that even they who scoff at its Divine original, acknowledge the supreme excellence of its ethics. It is not, like the misty tenets of Socrates, of Pythagoras, of Plato, and of Aristotle, confined to a school; it is the intelligible code of the civilized world. Everywhere is its influence felt. It tempers law; it has found its way into systems of international jurisprudence; it is infused into the common instruction of the people; it moulds the manners and the habitudes of men; it substitutes the steady light of truth for the *ignes fatui* of superstition; and, particularly since the Reformation,

it has done more to free the intellect from servitude than all the arguments of the wisest or the efforts of the best.

To improve mankind is one of its first and greatest offices; and for that end it sends forth its teachers, the moral philosophers of these days, more numerous and more influential than the sages of old. With the Bible in their hands they go abroad, spreading a knowledge of the true in morality and the right in conduct; a knowledge more serviceable than all the mysteries of science or the handicraft of art. These teachers are in constant intercourse with the mass, weekly and daily are they ministering to the moral wants of man, and imparting the precepts of truth and wisdom. They are for the most part men of intelligence, education, and correct life. To teach is their peculiar calling; and it is impossible that they should faithfully discharge the duties of their vocation without disseminating intelligence in a thousand ways. They are listened to with favor, and they make an impression which is perceptible through all the gradations of society. The Scriptures, which as a volume of information, of eloquence, of poetry, of sublime thought, of divine philosophy, are unrivalled, inspire their teachings; and no other book has ever found its way so generally among all classes. It reveals its light in the cottage of the peasant as commonly as in the palace of the prince; and the oracles of God shall yet illuminate more minds than ever the oracles of ancient superstition blinded.

In this age, then, when the fruits of Christianity are more diffusely scattered than in the ages past, we cannot unduly magnify its importance as a source and minister of knowledge. It is to be revered as one of the most efficacious instruments in improving the world; and they who dispute its facts and doctrines, must nevertheless confess the obligations which they owe to its morals, which are the best part of human science. "Christianity," says Victor Cousin in his celebrated report upon the *Prussian System of Education*,—"Christianity ought to be the basis of the instruction of the people. We must not flinch from the open profession of this

maxim; it is no less politic than it is honest." "A religious and moral education," he continues, "is the first want of a people. Without this, every other education is not only without real utility, but in some respects dangerous. If, on the contrary, religious education has taken firm root, *intellectual education* will have complete success." "In our days," he explains, "religion means Christianity."

Victor Cousin is a philosopher, and speaks with due consideration of the influence which Christianity exerts upon society, and particularly as an auxiliary to right education. The history of modern times is full of illustrations; and had he needed a triumphant one he might have referred to the example of our ancestors, and to the general intelligence, prosperity, and virtue of their descendants. Christianity, whether acknowledged or unacknowledged, lies at the very base of all. It is to our greatness and happiness, if we rightly regard and cultivate it, what in another sense the Coliseum was to Rome:

"While stands the Coliseum, Rome shall stand;
When falls the Coliseum, Rome shall fall."

Not, however, to enlarge upon a theme as full of interest as of instruction, let us contemplate for a moment the more palpable influence of the press in diffusing intelligence. It is the press, which like a prism, has scattered in every direction the rays of learning, that before its invention were imprisoned within the school and the cloister. It is the press, which, like the abolition of primogeniture in the law of inheritance, has made common stock of what in the days of antiquity, and during the dark ages, was the patrimony of a few. In many points of art and science we seem to be still behind the fame of the great lights of the ancient schools. The lapse of centuries has not essentially dimmed their lustre. Perhaps they shine even brighter from the distance. But in those great lights was concentrated the intelligence of their age, while the multitude groped in comparative darkness. The difficulty of multiplying books by the tedious process of manuscript copy-

ing, and their extreme value, effectually cut off the inferior classes from that bountiful source of cultivation which reading supplies. The school and the Lyceum, where instruction was chiefly oral, afforded an imperfect substitute. The periodical press did not pour out before them, as before us, its daily and exhaustless profusion. "Their intellectual state," says a brilliant writer of the present day, "was that of men *talked* to, not *written* to. Their imagination was perpetually called forth; their deliberative reason rarely." A nice distinction, and one which in a great degree accounts for the practical turn of this age as contrasted with the more showy and brilliant periods of Grecian and Roman history. Whatever may be our liability to impulses, we, on the whole, think more gravely, and are less easily moved by appeals to the passions. Reading produces reflection; and reflection, while it tends to check the passions, expands and strengthens the powers of the intellect.

The facility which the press offers for communicating with the public, and laying before it the results of individual study, experience, and observation, stimulates literary ambition. It makes the press a common highway, which every man, whatever his obscurity or his dignity, may travel if he pleases. Undoubtedly the same facility has given birth to much that is indifferent, much that is worthless, and much that is positively vicious; and it has contributed not a little to multiply sciolists. But notwithstanding Pope's oft quoted remark concerning the danger of a "little knowledge," and the contempt in which mere smatterers are justly held, it is certainly better to be a smatterer than to know nothing. It is better that the multitude should possess some information, imperfect though it be, than that they should remain in utter ignorance. Teach a man letters, and it will be a marvel if in these days, he does not learn something useful from books; and even the illiterate must necessarily acquire a valuable stock of what may be called *reflected* knowledge from the reading community around him.

Never was the press more prolific than it is now. Its

constant labor exhausts the physical power of man, and the steam engine does its drudgery. This very fecundity is an evidence of the wide diffusion of a thirst for information. But its whole influence as an instrument of knowledge cannot be appreciated unless it be regarded in connection with education. Without this, the press itself were shorn of its vigor.

If the press be the lever of the vast world of thought and opinions, education is the fulcrum on which it rests, and without which it has no motive power. There is no country in the world where the press is in more active operation than this; and it works most vigorously and successfully in that precise channel in which the minds of a people who are plainly educated, and inquisitive beyond even Athenian inquisitiveness, are most likely to run. We can all understand the newspaper; and it is scattered among us with boundless prodigality and perused with as boundless interest. This taste is the index of another distinctive trait of the age that arrests our attention: the general countenance which is given to primary education.

Formerly, the young were rather disciplined than educated. Female education, except in rare instances, was nothing but simple housewifery, or the training of beasts of burthen; and the accomplishments of the other sex were confined, among the subordinate classes, to athletic exercises, and the studies that were fitted to make the soldier. From the earliest period of history until the decay of chivalry, the martial spirit shed its influence upon the school as well as upon the camp. The highest incentive to emulation amongst the young, was a future career of military glory. According to Herodotus, from their fifth to their twentieth year, the Persian youth were instructed in three things only: the art of the bow, horsemanship, and a strict regard to truth. "In Sparta," says the author of the *Rise and Fall of Athens*, "the child was reared, from the earliest age, to a life of hardship, discipline, and privation; he was starved into abstinence; he was beaten into fortitude; he was punished without offence, that he might be trained to bear without a groan; the older

he grew, till he reached manhood, the severer the discipline he underwent. The *intellectual* education was little attended to" . . . "but the youth was taught acuteness, promptness, and discernment, for such are qualities essential to the soldier."—What is thus stated of Persian and Spartan education defines the leading character of Grecian and Roman primary education generally. It was essentially military. Such also was the education of the ancient Germans. In those days human existence was but "a battle and a march upon the war-convulsed earth," and the great bulk of the young were disciplined accordingly. Now, our pursuits are of a different and a nobler character; and our education is designed, if it is not effectually made, to correspond to them. To instruct the people was the first effort of our ancestry, and they directed the penalties of legislation against those parents who neglected to send their children to school. Akin to this wise policy is that of the Prussian government, which compels the children of all classes, noble and plebeian, to be taught either at home or in the primary schools which are established throughout the kingdom. In the most distinguished governments of Europe a similar policy is beginning to be adopted. In this republic, as a token of our earnestness, we have indulged in a greater profuseness of expenditure in behalf of elementary instruction than any other nation can boast of; but we are still excelled by some others in the efficiency and thoroughness of our system. Here, public bounty and public opinion take the place of public authority; and the difference is not wholly in our favor. Still, ample provision is made for the education of all; and the multiplicity and cheapness of our schools leave no apology, even to the indigent, for neglecting the first duty of a parent towards his offspring. It is shameful for an American native citizen to be ignorant of the elements of knowledge; and ignorance happily is an almost insurmountable barrier against his elevation to those positions of trust and honor which in a free government are legally open to all.

I have already made a casual remark upon the chilvaric

age, and qualified it with an admission that succeeding generations owe it a debt of gratitude. That debt is principally due to its influence in exalting the female character above the contempt to which it had been degraded by all nations, except the ancient Germans. Chivalry paid more respect to woman; but modern times have improved upon the spirit of chivalry. Chivalry adored; we not only adore, but educate her. It is not a question to be debated now, as it was once gravely debated in an ecclesiastical council, whether woman has a soul. The question rather is, whether she has not a soul of more exalted, refined, and ethereal tendencies than the soul of man.

To educate a daughter is quite as imperative a duty as to educate a son, and the primary education of both is equally provided for by the bounty of legislation. The influence which woman exerts upon mankind ramifies so largely that it is impossible to trace it in all its manifold directions. She is the first teacher of the young; and from maternal lips are imbibed into the fresh and uncontaminated soul the rudiments of knowledge and wisdom, and the impressions which govern life. From her, enlightened and cultivated, spring the germs of intellectual vigor, no less than of physical existence. Her power is not the less extended because her sphere is seemingly confined to a household, or, in its largest expansion, to a community. The greatest men who ever lived have confessed that a mother has implanted the seeds of their ability, and that to fireside instruction and precepts they owed their principles and their success. There is no surer test of the refinement and intelligence of the world than the condition of woman affords. It was never more exalted than it is now.

But great and universal as are our facilities for the acquisition of elemental knowledge, it cannot be disguised that (in this country) we are sadly deficient in what is usually termed *finished education*. A devotion to business, so ardent that it does not allow us to cultivate our minds beyond the actual necessities of our callings, is somewhat characteristic of the American people. With more of what is styled general information, we have either less ambition or less leisure, to be-

come learned than any other people of equal pretensions. We all acquire in youth the substantial knowledge that fits us to discharge the common duties of our several vocations; but, those vocations once entered upon, we suffer them to engross our attention. Business becomes the universal apology for every neglect. "But," says a great authority, whose otherwise vacant hours were occupied in rearing the most splendid intellectual monument of modern days, "the most active or busy man, that hath been, or can be, hath, no question, many vacant times of leisure, while he expecteth the tides and returns of business"—"and then the question is but, how those spaces and times of leisure shall be filled and spent; whether in pleasures or in studies." I do not think that we are fairly chargeable with a greater devotion to pleasure than those nations whose literary reputation is much more elevated than ours; but we are less devoted to studies. Aside from the circumstance that we are young as a people, and necessarily under a severer obligation to labor for that wealth which time and prosperity have accumulated in older countries, and which enables its possessors to apply themselves leisurely to learning, a more plausible apology may be found in the want of those venerable and well endowed institutions which give not only the aliment, but the reward, of literary pursuits. We have few scholars by profession, and perhaps fewer by choice. We are in so great haste, or so urgently pressed, to engage in the gainful occupations of life, that the early years which are elsewhere spent in the acquisition of knowledge are here ingulfed in the vortex of business. Necessity often, and preference oftener, impels us to enter upon the serious struggles of our several pursuits, half educated, immature, and before the foundations of good scholarship have had time to settle down into compactness and solidity. For want of suitable endowments, and of popular support, our best collegiate institutions are of a grade, little, if any, higher than the best preparatory schools of England. Eton and Westminster make as thorough scholars; but Eton and Westminster fit their pupils only for the Universities, while our Colleges fit theirs, as we flatter

ourselves, for the most exalted positions in life. The vast difference is palpable enough, and palpable to our great disadvantage. With equal native ability and intellectual energy, we have less familiarity with the great productions of antiquity, less command of language, less closeness of argumentation, less knowledge of foreign tongues and literature, less nicety of critical discrimination, less refinement of thought, and less compactness and purity of style. This is obvious from a comparison of our respective efforts in that particular branch of modern literature which has taken the place formerly occupied by the Essayists, and which now assumes the shape of Reviews and Magazines. We surpass the poorest of their efforts, but we by no means equal the best. It is not so much in the staple and the bare intellectual weight of these productions that we fail; but in the polish of our weapons and the nice skill in wielding them. Our mental armory is ill supplied, and in disarray; theirs is complete and well ordered, for constant use.

The difference is owing to training; to a long and laborious pursuit on their part of those scholastic exercises which we so soon dismiss from our thoughts and diligence. It is a difference which our circumstances may perhaps fairly enough excuse thus far, but every day is weakening the apology. We are constantly growing in wealth, taste, and refinement, and I trust in the laudable ambition to excel. We have still many prejudices to overcome which have hitherto impeded our literary advancement; and the most pernicious, and I fear the most ineradicable of all, is the prejudice that prevails against a classical education as unfitted for the wants of a practical age. If high mental culture be useless or idle then so is classical education. But so long as sound learning, intellectual acuteness, chastened fancy, the power of eloquence spoken or written, and the capacity to understand and appreciate the wisdom and genius of the past, are held in esteem, the foundations of excellence in all these must be laid broad, deep, and thorough in a classical education. There is none other that can equally invigorate and polish the youthful mind.

It trains its powers for the loftiest, most energetic, and best sustained flights; and there is but little that in the field of literature or science has become famous, which does not owe its excellence and its duration to the perennial and all preserving influence of the classic spirit. It is to science and literature what taste is to the fine arts; not their substance, but their vitality.

I do not mean to be considered as affirming that a man may not be useful and well informed, of strong powers, and even of great achievements, unless he has been a student of books and received a finished education. Perhaps the greatest men in the active world have been rather distinguished for defective scholastic training. Greatness is the result, not so much of education, as of native powers forced into favorable display by uncommon circumstances. But I do mean to say that such training makes the most accomplished men, and gives the finest polish to a majority of minds; that it develops most effectively the mass of human intellect, and cultivates and adorns the most exalted. I mean to affirm with the poet, that "education forms the *common* mind"; that no mind, however capacious or brilliant, was ever impaired by classic discipline, and that most minds need that discipline for their development and invigoration. "It is the men of study and thought," says a French philosopher, "who in the long run govern the world."

I am conscious, gentlemen, Alumni of the Institution whose annual festival we are assembled to celebrate, that there is naught of novelty in these topics which I have thought proper to discuss, and that some of them have been freshly handled by those more competent to discuss them well. But their interest is perpetual; and anniversaries like this are the proper pauses in the course of our existence to step aside from the ordinary paths of life, and look backward upon the past and speculate upon the future. The retrospect is but recollection, and all of us have memory; the prospect is confused and indistinct, and none of us have the gift of seers. But the world is constantly moving onward, and such pauses serve us

to note the rate of its progression; to remind us of what has been achieved, and what remains to be accomplished. There are other very important characteristics of our times which might profitably be contemplated; but I have chosen rather to direct your attention, gentlemen, to some of those distinctive traits and tendencies which effect the spread of intelligence, and which Men of Education should contemplate with reference to their peculiar duties as Men of Education. We have received the stamp of a collegiate degree as the evidence of our title to that honorable character. I trust it is not all the evidence we propose to offer to the world of our being worthy of it. It is in our power, and is really our duty, to give higher testimony still.

If we but open our eyes, we observe in a country boasting of its intelligence, but as yet in its infancy, a prevailing neglect of study and learning in their serener altitudes; it is our duty to make such study and learning respectable and appreciated, by showing in ourselves that it is useful and adapted no less to the practical purposes of life than to the exaltation of the mind. We observe unfixed principles and loose opinions; it is our duty to strive to settle them on the foundations of reason and the substantial basis of religion. We observe the constant outbreaks of vacillating and ill-regulated minds into vagaries and fanaticism; it is our duty, from the accumulated wisdom of the past and by a sage application of it to the present, to display the true guides of human action, and to sustain our posts manfully against the ever shifting encroachments of ignorance and delusion. We observe the community agitated by schemes of reformation and improvement, designed for good ends, but bottomed on false principles; it is our duty, while we set a good example in practice, to expose the defects of the groundwork, that error may not triumph under the cloak of philanthropy; that independence of action may not be subjugated, and individuality of character may not be effaced in some common effort to conform the whole community to a particular model; and that we may not be forced by the spread of enthusiastic devotion to some sweeping

project for the amelioration of our race to become vassals to the opinions of others, or hypocrites to secure their esteem. We stand on an eminence from which we may, if we choose, shed an influence in behalf of truth, reason, and knowledge, that shall tell with power upon the future character and destinies of a great people. We cannot conscientiously hide our accumulations of light and intelligence under a bushel, but should clearly display them from those intellectual heights whence they may radiate most diffusely upon the paths of human life. As educated men we occupy a vantage ground that enables us to achieve a great conquest in the warfare that is constantly waging between truth and error, between ignorance and intelligence, between bigotry and tolerance, between order and confusion. Do we not perceive in our position a strong demand upon us to give a verity and reality to our parchment honors, by assiduously culturing our own minds, and emitting light about the paths we move in? It is not enough that we escape poverty or accumulate wealth by our industry, and that we pass through life with the ordinary credit of honest, well-meaning, and capable men. We thus fall short of our duty. Society has a right to form higher expectations of us, and to demand that they shall be fulfilled. If we, claiming to be educated, achieve nothing more than the uneducated are capable of accomplishing, we defraud the community of its reasonable rights and do incalculable injury to the cause of solid learning and science, by riveting more strongly the prejudices now too prevalent against that higher education which institutions like this are designed to encourage; and which none more efficiently labors to impart than this. We have not, it is true, the advantage of fellowships, and the means of pursuing within literary enclosures those exalted studies in which we are here grounded; but we have, all of us, those "vacant times of leisure" of which Lord Bacon speaks, in which to follow up their highest elevations as the literary pursuits which shed a brilliant glory over professional excellence; which constantly ripen, and fertilize the mind; and which better fit it to appear with ability and honor in all

the varied positions in which the accomplished citizen of a republic may be called upon to act. We owe it not only to society and to ourselves to make these acquisitions, but to our literary foster-mother, that she may have pride and pleasure in her sons; and that she may see here and there one of them adorning his day and generation with the example of a ripe scholar, a man of taste, of professional eminence, copious as a writer, eloquent as an orator. It is her ambition, and it should be ours, to commend to the favor of the community the noble treasures of learning, by displaying them in constant connection with the daily occupations of life, as they illuminate, sharpen, invigorate, and adorn our intellectual powers; as they elevate and chasten our judgments; as they give edge to our wit, and brilliancy to our imaginations. It is thus that we may be practical without being pedantic; that we may exhibit the vast advantages of erudition, without any affectation of the school; that we may combine the efficient discharge of active duties with the polish and meditation of the closet; that we may enter into the arena of public life equipped with the well adjusted armor of study and reflection; and that we may shine to the world not with the glimmer that betrays the incrusted diamond, but with the full and radiant brilliancy that it discloses under the laboring hand of the lapidary.

Our education when we leave these walls is, after all, but rudimental. Our path is marked out and whither it leads. Nothing more. It is the work of our lives to pursue it, for it is interminable here, and points to the Great Fountain of Intelligence as its limit. Yet how many of us, having achieved our collegiate labors, forthwith cast aside our books, as a captive might his fetters, and bid a last and reluctant farewell to the groves of Academus? The advantages and the honors of scholarship and literature are only acquired by unremitting labor, and they are worthy of all the industry which the necessary duties of life will permit us to bestow upon them. They bring with them, like Virtue, their own reward; and like Virtue, they are the offspring, not of a moment, but of years, of

effort. The fraction of our youth which we ordinarily devote to their attainment serves but to test and invigorate our tender pinions, and to initiate us in the arts by which we may venture to soar aloft whenever the stern requisitions of life demand our manly exertions. We must go on ripening, or we shall never reach maturity. The loftiest pitch of the eagle is not reached at once from the nest. The new fledged wing of the eaglet is first exercised in uncouth gyrations; and flight after flight is practised, with stubborn energy, until his vigorous pinion finally elevates him to the Sun.

AN ADDRESS DELIVERED AT THE UTICA ACADEMY,
ON THE OPENING OF THE NEW ACADEMIC
BUILDING, JANUARY 31, 1868.

IT was a happy providence for the central part of New York, that it was first civilized by men whose footsteps were always promptly followed, or, to speak more significantly, always accompanied by religion and education. Wherever the men and women of New England clustered, their first provision was for schools and religious service; indeed, the school house, like the famous ale house chest, was "contrived a double debt to pay," and was a common convenience for a school week-days and a house of prayer Sundays. As they went forth with their great purpose of appropriating a hemisphere to freedom and Christianity, they usually went in little groups or colonies, animated by a common sentiment which not only inspired and governed them, but left its impression on their successors. To this it is owing that the moral and social reputation of this region was at once most favorably distinguished; and still maintains, in a remarkable degree, notwithstanding the copious influx of heterogeneous elements, the same characteristic, as compared with later and more bustling and ambitious communities. The staid, conservative and refined tone of society, which for years made the old town of Whitestown conspicuous—a town then comprehending all Western and Northern New York—still pervades the well populated territory which formerly composed it. The offspring of that part of it which finally became Oneida have won for themselves a good name everywhere; and there is to this

day a complimentary significance in the appellation "an Oneida County man."

The first group of settlers in Clinton, for an illustration, were of the same vicinage before they emigrated; and they had not been roughly housed more than six years, struggling with the forest and the elements for the bare necessities of life, before they had aspired beyond a common school, and had founded an Academy, which was the germ of what now, in about half a century, is a well-endowed and well-reputed College of the first rank. In like manner, but with unequal step, the early settlers of Utica, set up an Academy; which, although it has not yet reached the dignity of a collegiate foundation, has reached a reputation and permanence that make its past history worthy of reminiscence on such an occasion as this.

About a score of years after the first settlement of Utica, and before it was a village by any legal christening; when it numbered a population of about 1,700, and the country was in the midst of a war with Great Britain (1813); nineteen citizens, not one of whom is living to witness this auspicious day, asked the Regents of the University to incorporate an Academy in their village. Juvenile as I feel, I am forced to confess that I personally remember every one of them; and their names were Jeremiah Van Rensselaer, Arthur Breese, John Steward, Jr., Thomas Walker, Bryan Johnson, David W. Childs, Ebenezer B. Shearman, Samuel Stocking, Augustus Hickox, Gurdon Burchard, Benjamin Paine, Abraham Varick, Jr., Abraham Van Santvoord, James Van Rensselaer, Jr., Erastus Clark, James S. Kip, Joseph Kirkland, John Bellinger, and Nathan Williams. A charter was granted on the twenty-eighth of March, 1814, which bears the manly signature of Daniel D. Tompkins, as Chancellor of the University, incorporating the Utica Academy. Only seven of the trustees named in the charter were of the nineteen petitioners for it, and of the other six, whom I also personally remember, and whose names were Francis A. Bloodgood, Apollos Cooper, Solomon Wolcott, Thomas Skinner, Talcott Camp and Anson Thomas, not one is

now living; so that half a century has buried all of the original founders of the Academy, who were mostly men of mark in their day and generation, and I fear, are mostly forgotten now.

But the getting of a charter was then the simplest part of the process of founding such a school; especially as some essential legal preliminaries for its validity—such as an academic building and an annual income of one hundred dollars—were apt to be assumed as mere postulates. So at least they were in this case; for except as they are alleged in the charter as entities, the academic building was a “castle in Spain,” and the annual income a rent secured by it. Nevertheless, within a month, the zealous trustees chose Thomas Walker for Treasurer, and Ebenezer B. Shearman for Secretary, adopted a seal, and resolved upon a subscription that should make all pretensions good.

As the charter created a close corporation—a corporation with all the soul it had confined to the particular trustees named in it, and such successors as they themselves might choose, and which had no stock or stockholders—obviously every gift for its purpose was so much money thrown away, so far as any chance of pecuniary gain, or even of personal influence was concerned; and there could, therefore, be no other motive for making it, except a great public benefit or some local competency strife.

The first subscription, dated January 1, 1814, was drawn up by the late Alexander B. Johnson, who for a time was one of the most active of the trustees. It had a marginal afterthought appended to it, which enlarged the original purpose of a mere academic building into that of a building for the accommodation of Courts of Justice and public meetings. From this, I infer, that subscribers could not be obtained for the first exclusive design; and after a little fruitless experiment that way, it was found necessary to modify the terms of the subscription to give it success. After about sixteen hundred dollars had been subscribed, its circulation ceased.

In 1815, for some technical reason I suppose, the trustees

by a formal resolution accepted their trust under the charter, and requested the Reverend W. Townsend, who had then a grammar school on Genesee Street, to take charge of the Academy for one year, at a compensation of seven hundred and fifty dollars, to be collected by himself at the usual rates of tuition, and any deficiency to be provided for by the trustees. This offer seems to have been declined, and there was inaction, until in 1816, a committee of the citizens proposed to the trustees to aid them in erecting a building for an "Academy, Town House, and Court House," which was at first peremptorily rejected, but the next day conceded; and subscriptions were started for the triple purpose contemplated. At once there sprung up a famous controversy about a site for the proposed structure; and Genesee Road, Miller Road, and Whitesboro Road had a street fight to settle that matter. The Van Rensselaers, the Bleeckers, Dudleys and Millers, the Coopers, Potters and Bellingers, contested it so hotly that it became necessary, as expressed in the new subscription paper, in order to "secure harmony in the village," that the subscriptions should be so made as that every subscriber to the amount of five dollars should have a vote for either of two sites designated; one of which was the site finally adopted, and the other a lot on Genesee Street, then adjoining the old Van Rensselaer homestead, and occupied for a private school, now the site of Grace Church and the Butterfield House; Whitesboro Street voluntarily, or probably involuntarily, being excluded from the vote.

The final subscription, dated May 4, 1816, is a venerable document, the body of it printed, and both printing and signatures done on a roll of parchment a yard and a half long, well filled with names and subscriptions from three hundred dollars down to five dollars. At the foot are two certificates engrossed by Col. Benjamin Walker, the military companion, friend, and a legatee of Baron Steuben; one of them purporting that subscriptions have been duly made to the required amount within the prescribed time, (only twenty-six days,) and the other that on polling the votes for a site, as provided

in the document, 667 votes were found in favor of the site on Chancellor's Square, and 445 in favor of that on Genesee Street, being a majority of 222; so that Genesee Road had to retire from the great contest, satisfied with its private school and its Seneca Turnpike, and Whitesboro Road with its York House and the graveyard. Chancellor's Square, with its capacity for possible glories, proved triumphant; for although it was an uninclosed boggy plain, with a dirty ditch stagnating through the middle, yet a prescient eye might perceive that it had not only the present certainty of a roomy play ground, with convenient mud-puddle facilities for boyish aquatic entertainments, but that it might in the course of time, when surrounded by imposing domestic and public buildings, be a fine park and breathing place for crowded institutions, as we see it is at the present day.

The choice, however, was strongly stimulated, and probably decided, by a supplemental or auxiliary subscription printed like the last, but on ignoble paper instead of parchment, (and with a written modification appurtenant,) to which are attached the significant signatures of John R. Bleecker, Charles E. Dudley, and one or two more who meant that nothing should bind them unless their favorite site was secured; and on which there was a quiet corner subscription, by Dudley and Miller, of two village lots, valued at five hundred dollars, contingent on that site being selected. These lots were afterwards duly conveyed to the trustees, and proved serviceable in various contingencies by way of pledge, mortgage and final sale.

The old parchment subscription was strong and law proof; for there is endorsed on it an interlocutory judgment in the Common Pleas, against one unfortunate subscriber whose prosperity did not survive to the day of payment. It was also strong in amount; upwards of five thousand dollars being subscribed to it, in a period which even now would have to be doubled to raise the like amount for a like purpose.

Another important difficulty did not excite so much rivalry in the adjustment of it as the selection of the site, which

was on the whole, rather expeditiously managed; and that difficulty was the completion of the fund to an amount adequate to finish the building, and yield the requisite income of one hundred dollars a year, so unhandsomely and niggardly exacted by the charter as a fundamental condition of its vitality. The village authorities at length voted an aid, towards completing the building, of three hundred dollars, on certain wary conditions, one of which was that the perpetuity of the charter should be unquestionably secured by the provision of a fund to pay the annual hundred. It was proposed that the trustees should meet this emergency by individually assuming this payment; but after subscribing such an undertaking, some refractory ones withdrew, and that resource failed.

Just before this, in June, 1818, Apollos Cooper having resigned as trustee, William H. Maynard had been chosen to fill the vacancy; and the marks of his vigor and activity are henceforth traceable in various suggestions and reports in writing which, although not signed by him, are cognizable by a peculiar chirography only surpassed by that of Napoleon Bonaparte or Rufus Choate. It was not, however, a degenerate hand—a hand fallen from a prior state of excellence into hopeless negligence, like some inscrutable and undecipherable hands I have known; but it was a predestinate bad hand; unimprovably bad from the beginning; a matured inveterate school-boy exercise of pot hooks and hangers, that could not possibly be written hurriedly; and was strongly compulsory of deliberateness, brevity and terseness of style. He was, I suppose, the proposer of a fresh subscription, on which was raised about five hundred dollars, which was followed by a pledge of the Dudley and Miller lots to secure the annual income. Anson Thomas now resigning, John C. Devereux was selected to fill the vacancy, and Messrs. Maynard, Walker and Childs were appointed to make arrangements for the opening of the Academy; to devise a system of instruction; and to seek for a qualified person to take charge of the institution. The building had finally been completed at an expense of

eight thousand dollars; but I find no data, beyond the subscription already mentioned and the village aid, by which to trace the gradual accumulation of such a sum during the four years that had elapsed since the date of the charter.

The Academy building was an unpretending brick edifice, of two stories; about fifty by sixty feet, with a wide hall; one large room on the north and two smaller on the south, on the first floor; and the whole upper floor was the court room. The external appearance of the structure was not such as would now strike the eye very favorably, although it was a well proportioned and symmetrical building, possessing more of the old breadth of style than is agreeable to modern eyes stretched to see only the beauty of height and narrowness. With suitable external embellishments, such as the economy of that day would not tolerate, it would have been a tasteful edifice, if left to stand alone, without any towering neighbors to put it out of countenance. But it was never commodious for its purpose, and was ill calculated to serve the double use it was destined to.

It was now July, 1818. The population of the village was much increased, and it had a charter of a year old. It had already begun to dwarf the neighboring villages of their comparative superiority, to surpass them in business and energy, and to feel assured of a continuous growth and prosperity, on account of being on the line of the proposed great canal.

In August, 1818, the Reverend Samuel T. Mills was appointed the first Preceptor of the Academy, at a salary of eight hundred dollars a year, payable quarterly. To make the new building accessible, the late Rudolph Snyder, afterwards enthusiastic as one of the school commissioners, was especially impowered to improve the walk from the building to John Street; an improvement which at the present day is only traceable between barrels of ale in the cellar of the Court House, which covers the John Street front of the old premises. At the same time a committee was appointed to adjust a plan for a female school as part of the Academy. In October, a Mr. Whiteside was chosen assistant teacher for six months, with a

compensation at the rate of three hundred dollars a year. How long he served as such does not appear; but I well remember the great rejoicing when, the scholars assembling one Monday morning, it was luckily discovered that the assistant had taken undue advantage of Sunday to disappear from scenes of harshness and severity that made his exit a refreshing change. The shout of "Old Whiteside's run away!" echoed and re-echoed across the bogs of Chancellor's Square even to the far distant sulphur springs, and Ballou's Creek; and the half holiday which was the legacy of his inglorious retirement was spent in rambling, frolicking and shouting "as only boy-hood can," amid those scenes of primeval nature almost unrecognizable now. No ghost ever evaporated with half the relief to the terrified spectators that was felt by the pupils on the vanishing of the ill-starred Whiteside.

The rest of the year 1818 was marked by no more important event than a formal acknowledgment, by a resolution of the trustees, of the unhappy right to hold courts in the Academy, which was afterwards resolutely claimed and exercised, to the mutual discomfort of court and school; requiring constables to stand guard during play hours to stifle urchin shouts, and interrupting the sacred silence of study hours by the tread and turmoil of throngs of jurymen, witnesses, attorneys and judges; to say nothing of the rather pleasant grievance of being routed out of this and that recitation room to make way for jurymen about to cast lots or toss coppers for verdicts.

In January, 1819, William Hayes was appointed to teach writing and arithmetic three hours a day, at fifty dollars a quarter; and about the same time Mr. Maynard, as chairman of a special committee for that purpose, reported the first rules and regulations for the government of the Academy, whereby it was provided that an academical quarter was to consist of eleven weeks and a half, (leaving six scattered weeks for vacations, so economical were they of holiday time in those days,) and requiring one public examination and exhibition every year; the exhibition for the purpose of declamation and colloquies and an address by some person. The trustees

were to visit the school once a month, in classes, and there was to be an examination by the teachers at the close of each quarter. There were to be three classes of pupils; and the chief distinction between them seems to have been that one class paid five dollars, one four, and one three dollars a quarter for tuition; a distinction which prevails to a great extent in select schools of the present day. Mr. Ambrose Kasson was now appointed an assistant teacher in the English department.

In June of that year was made the first report on the state of the Academy, which is recorded as favorable. It is remarkable for containing what, I presume, is the original precedent of that venerable formulary of criticism on declamation which, from that day to this, has been reiterated in the ears of all youthful oratorical aspirants: "too rapid a manner, and a sinking of the voice at the closing of a period." This formulary, I believe, may be safely attributed to the late Thomas Skinner, who was in his early day, an eloquent man without "too rapid a manner," but whose voice prematurely sank long before "the closing of his period."

Just now both Bryan Johnson, and his son, the late Alexander B. Johnson, whose activity has been observed in the early efforts to establish the Academy, resigned their position as trustees; and their places were filled by Judge Morris S. Miller and William Williams. Talcott Camp resigned, and Ezekiel Bacon succeeded him. Mr. Camp was a gentleman who had seen revolutionary service, of marked and dignified personal appearance, of courteous manners, who generally held some position of public confidence, and who always commanded respect, and in his later years veneration. He died of cholera in 1832.

Mr. Skinner was selected to make the address at the annual exhibition of this year, of which it is to be regretted that there is no record, for if done at all, it was undoubtedly done with ability. Jeremiah Van Rensselaer and Arthur Breese, now resigning, Erastus Clark and Montgomery Hunt filled their places; and Judge Miller was chosen President of the Board to succeed Mr. Van Rensselaer, who was the first Presi-

dent, and from the beginning a stanch friend of the institution. It was he who first offered a fine lot on Genesee Street for the site of the Academy; but, that site not being adopted, the gift failed. It is now of great value. He was a gentleman of wealth and weight, the father of a large family, some of the daughters of which married men of subsequent distinction, such as Charles H. Carroll and Francis Granger. His mansion and grounds were distinguished in that day, as were those of his neighbor, Mr. Breese, for their tasteful style and spaciousness; and they were both esteemed citizens.

In October, Mr. Mills was formally appointed Principal, (sinking his first title of Preceptor,) at a reduced salary; the addition of dignity probably compensating for the diminution of pay. But he did not long retain either, ill health compelling him to resign in the same month. He was a Presbyterian or Congregational clergyman, well educated, of an infirm constitution which impaired his efficiency in the position of a principal teacher, and, as I remember, of a somewhat distant and forbidding manner. But as this is a juvenile impression, I would not record it to his prejudice; for I believe he was an earnest and worthy man, and of sufficient acquirements. He did not long survive his resignation.

Probably the affairs of the Academy were now in a precarious condition; for an agreement was made with Mr. Hayes, already engaged in teaching writing and arithmetic, and Mr. William Sparrow, a graduate of an English or Irish University, and a student of theology and candidate for orders in the Protestant Episcopal Church, to teach the Academy for nine months; they to have the tuition money, and to pay the trustees twenty-five dollars a quarter for their privilege. This odd reservation was likely made to secure the income required by the charter, which seems, unlike most incomes, to have been a perpetual hindrance rather than a help. The arrangement was a sort of partnership that left the preëminence doubtful between the classical preceptor and the teacher of mathematics and penmanship.

Of Mr. Sparrow I have a faint recollection as a gentleman

of good education and of foreign ways, and, withal, however skilled for a professor, not well adapted for popularity with boys, in consequence of a certain distance and air of haughtiness which forbade the usual familiarity that may well exist between a teacher and well behaved pupils. He afterwards, if my memory is not confused by identity of names, became a Divine and a Professor in Gambier College, Ohio, and is now connected with some theological seminary in Virginia.¹

Mr. Hayes was a penman and book-keeper of the old English school; of that period when thoroughness and skill distinguished those arts. He was none of your twelve-lesson men; but began at the beginning, with full fed, broad-ribbed goose quills, that made their marks, straight or round, of good portly body strokes and clean hair strokes, which followed each other, after a short experience, without a ruled page to guide them, with perfect uniformity and drill. He suffered no meddling with current hand until you had first served a full apprenticeship at elemental lines and curves of manly length, and fair, bold sweep. When you had gone through a book or two of half inch small letters, distinct enough to be criticized across the school room, he instructed you in the high art of capitals, plain, open, fair, and of honest aspect that might be recognized of all men. He did not throw his whole force, as some do, upon their ornamentation, making them every thing, and their little followers nothing; much as we see the officers of a military force, all epaulettes and feathers, followed by an undistinguishable trail of rank and file that no one can individualize. He handled his quill deliberately, as if he loved its movements; and his manuscript had a fair roast-beef and

¹ Before Mr. Sparrow was connected with the Academy, he kept a private classical school, which was a rival. The pupils of both participated in the rivalry. An old fellow pupil of the Academy reminds me that the Sparrow boys would sometimes call out to the Mills boys in passing, "Ten Mills make one cent," to which the Mills boys would profanely reply, "Are not two Sparrows sold for a farthing?" As mental arithmetic was not taught by either of these distinguished schools, this knotty question of relative values and the reduction of currencies would of course send both parties to their slates, and put an end to hostile joking for that day.

plum-pudding air that betokened good faith and honesty, and a mind earnest upon its work. He could keep as fair and fine a ledger as any man; and yet he could fill a letter page with neat, legible, uniform writing, which many a fancy book-keeper is quite incompetent to do with all his capacity for cutting flourishes. A blot, an erasure, an interlineation, was his abhorrence. How it would grieve his simple heart to go into an attorney's office, or some of our public offices, and see the scrawls that pass muster for handwriting, and are deemed good enough for deeds and wills and records, and compared with which old Gothic and old Court hand will be more legible in the next generation! I do not know what became of Mr. Hayes after his two or three years' connection with the Academy; but I revere his name and memory on account of some fair chirography which I occasionally see, that might not have existed but for him.

In the next year (1821) a committee was appointed to make arrangements for continuing the school; and in the year succeeding (1822) Mr. Kasson, former assistant to Mr. Mills, proposed to remove his select school to the Academy, and to associate with him Mr. Edward Aiken as a classical teacher. This proposition was not concurred in; but I have a distinct recollection that, in some way, Mr. Aiken was for a short time engaged in the Academy. He was a brother of the Rev. Samuel C. Aiken, at that time the pastor of the First Presbyterian Church in Utica, and at the time of his connection with the Academy was engaged in the study of medicine, in which he was graduated Doctor; but did not long survive, and died at the South.

From that time, March, 1822, there is a gap in the records, and nothing appears in the volume to indicate the situation of the Academy, until April, 1824, about two years. During that interval, however, or the most of it, the school was in charge of Captain Charles Stuart, as Principal. He was a half-pay officer in the British East India service, had been many years in the East, and had acquired a particular knowledge of the Hindu, in which language he had many manuscripts, most of

them, I think, in his own hand, which was peculiarly small and neat. He was conscientious to morbidness. He was eccentric in his dress and in his ways. His mode of life seemed to be a penance for something,—perhaps for the sins of the whole race of Stuarts, Pretender and all; perhaps for the misdeeds of Warren Hastings and the East India Company, whose servant himself had been. He daily deluged himself with water externally and internally. It was reported that he often slept out of doors summer nights; and he walked four or five miles to get an appetite or a digestion, probably both, for his bread and milk, which he took at a distant farm house. He wore on all occasions, and at all seasons, a Scotch plaid frock with a cape reaching nearly to the elbows, until he became a licentiate or a minister, when the plaid garment was changed for a black cloth of the same odd make, in which he mounted the pulpit. He was a peculiar mixture of the severe and the playful; tremendous in his wrath, and hilarious in his relaxed moods; with a most attractive smile, and a thunderous volcanic frown, in which there seemed to be a struggle to put down some violent passion; withal of the most humane and tender feelings; fond of children and youth, and of joining boyishly in their sports, but strict with them, and often bitter in his reproofs and terrible in his punishments of casual offences of which they did not always know the exact enormity; particularly of those against religion, purity, and good manners. He once administered severe chastisement for the use of a word in boys' play, the vicious meaning of which was obsolete, and certainly was not known to any pupil in the sense in which it struck the teacher's sensitive ear. He was an earnest, energetic, enthusiastic man; every way uncompromising; of very strong and somewhat testy religious feelings; and altogether one of the most eccentric and mystical men I ever knew. It seemed as if God were in all his thoughts, and all that he did was done with his might, and as if under the "Great Task Master's Eye." Although many thought him fanatical, none ever questioned his thorough sincerity; and no teacher ever left the charge of the Academy with more regret of the pupils, or with

a stronger expression of the kind feelings and hearty unwillingness of the trustees. He was afterwards for some years engaged in missionary enterprises connected with the questions of slavery and temperance, married late, and finally retired into Canada, where he died at a good old age, some three or four years since.

Succeeding Mr. Stuart, was Alexander Dwyer, a graduate, and I think, a Fellow, of Trinity College, Dublin. He was accomplished both in the classics and the mathematics. He had sufficient self-conceit and vanity of good looks, and little warmth or geniality of manner; and lacked the art, so important in a teacher, of attracting the confidence and attachment of his pupils. Perhaps much was owing to former scholastic habits, and a want of general intercourse with men outside of the cloisters, and something to an unfamiliarity with a school life and discipline so unconstrained as ours. His discipline was somewhat of the Busby sort; but he did not succeed, as Busby did, in administering it satisfactorily either to the recipients or their natural guardians. It was probably this circumstance, and his cold, ungenial manners, that shortened his connection with the school. He kept a bachelor's quarters. He was a great admirer of Canning's statesmanship and eloquence, and of Lord Byron's verse. He used to read to me from a copy of the *Giaour* or the *Siege of Corinth* in his own manuscript, which was very neat and scholarly. He had a striking head for a cast, but it lacked the Yankee sort of brains for a good live model. I am not sure but that the plaster bust he had of Canning, in his own fancy resembled himself, and was the prime spring of his admiration of that statesman. There was no doubt, however, of his scholarship, whatever question might be made of his faculty for imparting it. The last I heard of him he was in a Western State, seedy and destitute, and probably revolving the fallacy of the old proverb that "learning is better than house and lands." A brother of his was an assistant teacher with Mr. Stuart and himself. He was also a Trinity College man.

For several years hitherto, and perhaps later, a portion of

the academic building was occupied by a janitor, whose quarters for a household of infinite multiplying power were confined, nominally, to the southeast room, with a free run of the hall and the court room stairs, a portion of the cellar, and all of the rear yard for a potato and cabbage patch. Frequent were the small strifes that kept up confusion between the pets of the household (bestial and human) and the boys of the school; to say nothing of the private family commotions with which no stranger might intermeddle, that were breaking out discordantly at untimely intervals, and still less of the culinary fumes that daily vexed the atmosphere of the ill-accommodating edifice. The janitor's powers of silence were of a stentorian sort, and his attempts at quieting a hubbub as overpowering as the drums and trumpets that stifle the voices of noisy martyrs at the stake or on the scaffold. He was for a long time master of the whole premises, until he had acquired such an indefeasible right of occupancy that he felt entitled to stay without rent or service, and finally compelled a resort to legal measures to oust him. He afterwards enlisted for a soldier, and was promoted to a sergeantcy, which to him was what a lieutenant-general's buttons might be to another. Great on the muster roll of swelling martinets was Sergeant John Hasson, the first and last resident Janitor of the old Academy!

In November, 1824, on the death of Judge Miller, who died before the prime of ordinary life, but had a reputation much beyond it, and is recalled by those of this generation who remember him, as a scholar, a gentleman of the old school, a lover of hospitality, and a man dignified by public position—Erastus Clark was chosen President of the Trustees; and Thomas H. Hubbard, the Rev. Samuel C. Aiken, pastor of the First Presbyterian Church, and the Rev. Henry Anthon, rector of Trinity Church, were chosen Trustees in the place of Judge Miller, deceased, and of David W. Childs and James Platt, who had removed from the village. Of Mr. Childs I will say here that he also, like Judge Miller, died prematurely as respects the ordinary duration of life, and that he was a lawyer of success and distinction, active, genial, and of a family respected and

distinguished. At the same time a committee was appointed to obtain a suitable Principal; and in January, 1825, Mr. David Prentice, then Principal of the Oxford Academy, to which he had given such a good name for thoroughness of teaching and discipline that the pupils flocked to it from considerable distances, and several of them from Oneida County, was appointed Principal. He seems to have infused a more vigorous spirit into the management of the school, as is indicated trivially by a fresh classification of the Trustees for monthly visits, which, doubtless, after the usual manner of such ceremonies, had been sadly, and perhaps wisely enough neglected.

In the next year, 1826, James Platt, having returned to reside here, was reëlected a trustee, in place of Erastus Clárk, third President of the Board, just deceased. Mr. Clark was a lawyer, a man of strongly marked character, of noted integrity, and of shrewd, sharp sense; of fine classical acquirements, which he kept up fresh to the close of his life; of thorough historical knowledge, and a wonderful memory of it; sparing of words, but not of point or pith; a man to the purpose, but somewhat cynical; not quite bland enough to be popular, but esteemed for his independence and force of mind. In the same year, an executive committee was appointed, with power to procure books, globes, maps and apparatus, and Mr. William A. Barber was chosen as an assistant teacher.

Everything went on for a year or two in a smooth, pacific way, until in November, 1828, military drill was instituted as an experimental regular exercise, with real wooden guns, which accounts for the subsequent brilliant displays of the troops of this vicinage in hotly contested fields of the war of the rebellion, not including Bull Run.

The salary of the Principal at this time was seven hundred dollars, and of the assistant, five hundred dollars; but in order to get it they had to collect the bills for tuition, which doubtless contributed largely to their health, and pleasantly relieved, the tedium of a sedentary life. The military drill gave them, also, a well trained company of pupils to inforce the collections by reprisals or otherwise.

The Regents of the University also now pronounced their testimony in favor of the Academy, by saying of it that "it had established a public character"; and Thomas Walker was elected President of the Board, in place of the late Erastus Clark.

For eight years (1828 to 1836) there is no entry whatever on the academic records, and these eight years cover the larger part of Mr. Prentice's service. It is to be inferred from this silence that they were unruffled years of prosperity, and that the trustees found no occasion for interference. In 1832, however, the school was broken up by the prevalence of the cholera, which caused great consternation, and suspended business as well as schools. The whole academic building, on account of its isolation, was devoted to the purposes of a hospital. The court room, however, was not wholly abandoned to the cholera patients. A regular term of the Vice Chancellor's Court was duly opened for business, by proclamation of the Clerk acting as Crier, to the astonishment, doubtless, of various patients lying there whose thoughts were probably concerned about a very different tribunal. They certainly were neither clients nor practitioners at this one; and in the absence of all seekers after equity in its worldly forms, even potent injunctions, the Court, after the regular call of the calendar, was as solemnly adjourned as it had been opened. It is probably the only instance of the business of a term being transacted in a cholera hospital. After the Court adjourned, it informally examined the cases of the patients without pretending to any jurisdiction, and what was quite satisfactory, without catching the disease. When the cholera disappeared, it was found to be one melancholy and mysterious result of its ravages, that all the academic library had disappeared with it. It is much more painful to record that one of the most efficient Trustees of the Academy, then a Senator of the Oneida District, William H. Maynard, was cut down in his place of honorable elevation by the same destroyer. To Hamilton College, however, more particularly than to the Utica Academy, belongs the grateful duty of conferring eulogy upon Mr. Maynard; and I

will venture so far only as to say, that both united cannot too highly exalt the memory of a man in whom education ever found an ardent and judicious friend, from its lowest manifestation in the district school, through all its grades, to the highest reach of scholarly attainment.

In January, 1836, Messrs. Anthon, Aiken, Platt and Hunt having vacated their places as trustees by removal from the city, and Mr. Maynard being deceased, William J. Bacon, Theodore S. Gold, Charles A. Mann, Thomas R. Walker and James Watson Williams were chosen Trustees. Mr. Bacon declined. It was altogether the greatest single change that had ever been made in the Board from its first charter organization. Those who retired were active and influential men, two of them divines of high repute. Mr. Hunt was a gentleman of education, and most of his life a banker, and the father of Judge Ward Hunt of this city. All but Dr. Aiken and Mr. Platt are now deceased.

In December of this year, Mr. Prentice announced his intention of removing to Geneva to accept a professorship of languages in the college there, now Hobart College. Although at a subsequent period he was invited to return to the charge of the Academy, yet as his resignation now closed his connection with it, I would here say that he was a single-minded devotee of Greek and Latin, and spent his life in teaching them with great diligence and enthusiasm. The first grand object of his personal ambition was to possess a Scapula Lexicon, the attainment of which was a never failing source of pride and satisfaction. He cherished and fondled it as Charles Lamb cherished and fondled his old folios, the inestimable dregs of the book stalls. I well remember the air of pride and paternal feeling which brightened his countenance, when he first displayed to my wondering eyes this long-coveted treasure. His next ambition was a college professorship of languages, the attainment of which was the occasion of his relinquishing this Academy, where he had spent the best years of his life in honorable poverty, struggling for himself and an estimable family on a pittance of an income that probably never

exceeded six or eight hundred dollars a year. He was an unobtrusive, faithful and indefatigable teacher, and was for several years a professor in Hobart College. He resigned that position, and returned to this city, where he devoted himself to private pupils for a while, and finally returned to Geneva to teach a private school, and there died in 1859, at the age of seventy.

In December, 1836, the Rev. Thomas Towel was appointed successor to Mr. Prentice. When he assumed the charge I do not learn from the records, on which there appears no entry until February, 1838, when Ebenezer B. Shearman, who had been the Secretary from the first organization of the Board, resigned, and Charles A. Mann was selected to succeed him.

Of Mr. Shearman it is proper to say that he always evinced a great interest in the affairs of the Academy, and was from the beginning one of its active and efficient Trustees. He was a stalwart, portly man, of fine personal presence, a prosperous merchant and manufacturer, and an intelligent and influential citizen, of no special literary pretensions, but a warm friend of education, and particularly of the Academy.

Mr. Hubbard having resigned, the Rev. Pierre A. Proal, rector of Trinity Church, was elected to the vacancy, and the Rev. Henry Mandeville, of the Reformed Dutch Church, was at the same time chosen to fill the place vacant by the refusal of William J. Bacon to accept the appointment, and Dr. Charles B. Coventry was chosen to succeed William Williams, who had removed from the city. Both Mr. Hubbard and Mr. Williams long survived this date, but do not appear any more in the management of the Academy. They were both worthy of being commemorated as gentlemen of good name and high standing, and of that character to give a fair repute to whatever they were associated with. Mr. Williams was, in his day, one of the most active and liberal men in the community, engaged in all enterprises of local interest, educational, political and religious. His personal appearance was very prepossessing, and he was a man of attractive and popular manners. His later years were clouded by adversity and infirmity, partly

the result of over-activity and enterprise. Mr. Hubbard was a very genial, tender and pure-hearted man; a lawyer, and the occupant of various posts of civil distinction; liberal, right-minded, shunning all pretension and fulfilling all his duties with a quiet modesty that sometimes seemed to be reluctance.

A proposition was made to annex the Utica Female Academy, under the charge of Miss Urania E. Sheldon, as the female department, in case Miss Sheldon should consent. It is a suitable place here to say that female pupils had from time to time been taught in the Academy, as well in the languages, as in other branches of instruction. Miss Sheldon very wisely declined this, as it was likely to be a partnership productive only of disappointment at least, and, probably, of great disadvantage to her school, which succeeded very well without any such dubious male entanglements.

Mr. Towel found it necessary to suggest that some new rules might be devised for the government of the Academy; probably for the purpose of defining the relative positions of the principal and the assistant teacher whom he regarded as fractious, and whose influence, he asserted, tended to discountenance the classical department as a useless appendage to a school, and to glorify arithmetic and English grammar as the only fit subjects for boyish ambition. Voluminous communications from both contestants are on the files. The committee to which these were referred for consideration concluded that a new organization was necessary; and to make a clear field, both the Principal and Assistant resigned their places. At the same time Mr. Gold resigned his position as trustee, and Charles P. Kirkland was selected to succeed him, but declined. A new code of by-laws was reported, among which was one disallowing the use of translations to classical students, but requiring the Principal to make comparisons of the best translations with the original authors.

Mr. Towel, after leaving the Academy, established a school for girls in Chenango County, I believe, and afterwards removed it to Long Island, where he continued it, with or without some parochial charge, until the period of his death within the past

year. He wanted the pluck, as Englishmen call it, to maintain his superiority as the Principal against a spirited and antagonistic assistant, and the tact and spirit requisite to manage boys. His long service as the head of a school for girls, shows that he did not lack for good qualities as an instructor, and a resolution of the Trustees certified to his excellence as a scholar, and his competency as a teacher.

In April, 1838, Mancus M. Backus, a former pupil of Mr. Prentice, and who was just graduated at the age of twenty, was made Principal, at a salary of eight hundred dollars. He first had for his assistant, W. W. Williams, who had been assistant to Mr. Prentice and Mr. Towel; and, in the junior department, Mr. Harlow Hawley. Mr. Williams remained in his position no longer than August. He had been a teacher for twenty years, and had given up a popular private school to become an assistant in the Academy. He was skeptical about the languages,—and other things; enthusiastic about the English elemental studies; and ambitious of the superiority of his own department, which he claimed to be the mainstay of the whole fabric,—Charter, Trustees, Principal, and all.

In January, 1839, Mr. Edward Bright (now a Baptist clergyman of distinction) was chosen trustee in place of Mr. Gold, resigned. The annual report makes a melancholy show of apparatus, the inventory recording one compass and a set of globes as the only items. But as a compensation for this lack of the illustrative implements of science, a teacher of music was now first appointed; and George R. Perkins, who was probably the only man of his years who could honestly say that he had studied up to the latest advanced posts of mathematical science, was appointed Mathematical Professor; and Mr. William A. Barber, teacher of English. To improve the sorry inventory, the trustees appropriated the interest of certain mortgages for the purchase of books and apparatus.

In 1840, under the new organization, the school was in such high condition that a call was made for more room. New apparatus was obtained at a cost of three hundred and fifty dollars, and there was now the unprecedented force of five

teachers. As the academic building was not enlarged, it is probable that more room continued to be a want, until in the course of a year or two it was found that it would be a superfluity.

In 1841, Henry J. Turner was engaged to teach French, and T. W. Dwight became an assistant classical teacher. Such an appointment became necessary in consequence of the failing health of the Principal, which compelled him to resign in January, 1841.

Mr. Backus was a graduate of Columbia College, with the highest honors; which implied, of course, a thorough training under that eminent classical teacher and professor, the late Charles Anthon, as well as great proficiency in the general curriculum of studies in that institution. He was young for the charge, but ardent and ambitious; and gave a new forward spring to the Academy, which, under his auspices, assisted as he was by Prof. Perkins as mathematical teacher, reached the highest state of prosperity that was ever attained under the old *régime*; numbering a hundred and fifteen pupils. His health was not sufficient to respond to his energetic disposition; and after about three years, he was under the necessity of seeking relief in a change of vocation, and found a retreat amidst sables and buffalo skins in Maiden Lane, New York.

The same day he resigned, George R. Perkins, his associate, was appointed Principal; the first, and, I believe, the only instance of the appointment to that post of any person who did not claim to be qualified in classical studies. In July, Ezekiel Bacon having resigned as trustee, John F. Seymour was chosen to the vacancy; and soon after, Mr. Bright having removed from the city, Simon V. Oley was selected to succeed him.

Judge Ezekiel Bacon was never, I believe, particularly active as a trustee, although his judgment and counsel were no doubt often appealed to and depended on. Infirmities early assailed him, and prevented him oftentimes from such exertions as he would otherwise have cheerfully made in behalf of

education or any good cause. He is now more than ninety-one years old, and although confined to his chamber by disease, he still retains his interest in affairs, and is a daily reader of the newspapers and such new works of interest as revive old memories. He is the oldest living graduate of Yale College, and probably the solitary remnant of the administration of James Madison.

In July, 1842, George Spencer was appointed classical teacher, at a time when the school seemed to be falling off in consequence of that department not being adequately filled. The Rev. A. Bennett, who died soon after, had been previously employed temporarily in the same capacity, and a Mr. Biddlecom seems to have succeeded him for a short period. Other causes were at work tending to undermine the Academy as an independent school.

About this period, the state of the common schools of the city began to excite a degree of attention that resulted in a complete reformation of the whole local system. In 1843, by virtue of a legislative act demanded by a strong popular feeling, they were put under the charge of six commissioners, eligible from year to year in successions of two each year. As it was conceded from the first that the schools should not be under any partisan domination, the two leading political parties concurred in establishing a precedent that each of them should name one candidate every year, and the two thus nominated should be indiscriminately voted for. This precedent, which has no legal sanction to enforce it, has in no case been positively disturbed, although once or twice the party nominations have been disregarded, and some more favored name, brought up by a side-wind and informally substituted, has commanded the popular vote.

The first act of the new commissioners, who were Rudolph Snyder, Hiram Denio, Spencer Kellogg, Robert T. Hallock, Francis Kernan and James Watson Williams, was to institute a thorough and faithful examination of the existing schools; which resulted in showing a great lack of system, a looseness of discipline, a sad deficiency of teaching power and talent, a

miserable niggardliness of compensation, and a perversion and misapplication of funds, that proved the necessity of some radical change, or a complete abandonment of common education to private enterprise and liberality. The city owned but three indifferent school buildings, and hired three or four more indifferent still, and there were about eleven hundred children attending them. The energy and influence of the commissioners soon put a new aspect upon these matters, and it was not long before the common schools gained a good repute that commended them to general favor.

In proportion as the new system advanced and ripened, the Academy seemed to languish. The ordinary branches of an English education could now be taught with such order, gradation and efficiency, and so entirely without individual expense, that the Academy had little to depend on but its Greek and Latin and the higher mathematics. It could still train pupils for a collegiate course, and that was all that it could do better than the city schools could; and as its pupils diminished, its resources dwindled too, until it became a struggle for bare existence.

In 1843, the Rev. Henry Mandeville being about to remove from the city, resigned his place as trustee, at the same time relinquishing his pastoral charge of the Reformed Dutch Church. He is since deceased. He was an accomplished scholar, of fine literary tastes, and the author of an ingenious volume on reading and oratory, himself a fine exemplification of it, although somewhat stilted and artificial, and too laborious after effect. He was succeeded as trustee by the late William Bristol, who evinced zeal and earnestness in his place.

In 1844, some excitement having arisen respecting certain meetings of an equivocal character which were held in the academic building, a resolution was passed to close the building against all Sunday meetings. Immediately after, some alterations and improvements were directed to be made in the building in connection with the city authorities, and about six hundred dollars were appropriated for the purpose.

In November of the same year, Mr. Perkins resigned as

Principal, in order to accept an appointment in the State Normal School, which was then to be organized, and of which soon after, on the death of Mr. Page, he became the Principal or Superintendent. The Trustees, on parting with him, expressed a high appreciation of his services during his connection with the Academy; and the reputation which he afterwards acquired as the conductor of the Normal School, and otherwise, confirms their good opinion. He is now the incumbent of one of the few offices in the State of a life-long tenure—a Regent of the University,—the salary of which, however, is not proportioned to its length of days.

On Mr. Perkins' retirement, Mr. George Spencer was made Principal, and Mr. Oren Root (now professor in Hamilton College) was selected as the teacher of mathematics, a place which he retained only a few months, when he was followed by John G. Webb, a graduate of the same institution.

In 1846, Dr. Coventry having temporarily removed from the city to devote himself to a medical professorship, Dr. M. M. Bagg succeeded him as one of the Trustees; and at the same time Charles Tracy succeeded Ebenezer B. Shearman, deceased. Mr. Shearman had been a Trustee from the first, over thirty years, during the greater part of which time he was Secretary of the Board. Messrs. Tracy and Bagg signalized their presence by a report on the existing state of the Academy, which obtained a very high compliment.

In 1847 nothing appears of particular note, and in 1848, Mr. Edwin B. Russ, a graduate of the Normal School, was appointed an instructor in the English department. The number of pupils was now about sixty.

In the same year Mr. Spencer announced that he had received an application to take charge of the Rome Academy; and among other conditions which he proposed in consideration of declining that, and remaining here, he made it a positive point that the "fences should be fixed." Fences, I presume, was a general term intended to cover other appurtenances to public buildings, which are apt to defy all the arts of housewifery, and unless well guarded by impalements of extra

strength and insurmountability, are great nuisances to sensitive people. His point was conceded, and the "fences were fixed," thanks to his pluck and resoluteness. At the same time, Charles P. Kirkland was chosen a Trustee, in the place of Thomas Skinner, deceased; Charles B. Coventry re-appointed in the place of Charles Tracy, removed from the city; and Horace H. Hawley chosen to fill another vacancy, which is not defined. Mr. Skinner had been a Trustee under the charter, was for some time active in the affairs of the school, and a regular attendant at the meetings of the Trustees until within a short time before his death, about thirty-five years. He was a man of fine natural gifts, improved by education; in his early years a lawyer of good standing, promising for his eloquence, particularly before juries; of good family and good connections; but innately disposed to inertness and dormancy of his faculties, and to personal indulgences which aggravated the constitutional defect; so that by the prime of life, although still an interesting talker and a shrewd observer, he was a discomfited man, and rusted away like an unused weapon, despite the excellence of his quality.

In June, 1849, Mr. Spencer was allowed to employ a substitute for a period, and the number of pupils seems to have run down to about thirty-five. William C. Johnson was chosen a trustee in the place of H. H. Hawley, removed from the city, and Edward S. Brayton in place of Mr. Kirkland, also removed.

In September, 1850, partly from discouragement, and principally from ill health, Mr. Spencer resigned his place as Principal, and Ellis H. Roberts, a graduate of Yale College, was chosen to succeed him.

The Academy under Mr. Spencer had the reputation of a thorough classical school. He was devoted to it, and possessed the requisite ambition, perseverance and energy for a most valuable teacher, had his health seconded and sustained him. He was the author of a grammar which was well commended by scholars, and was an enthusiast on the subject of education, to which he had designed to dedicate his life.

Although he had a strong classical bias, he was not unapt in the sciences, but anxious that they should have a due proportion of the curriculum. He was of an inventive turn, and amused his inforced leisure with some ingenious devices. He survived his family a few years, very much broken in physical strength, and finally died in Iowa at the age of forty-one, in the year 1859.

Mr. Russ continued to be an assistant under Mr. Roberts until, in April, 1851, Mr. Roberts resigned. He had not intended to be a teacher, professionally, but had probably accepted the post to allow the Trustees a little time to make some permanent appointment. He found a more congenial employment in giving daily lessons through the press, as he continues to do, in a sheet originally established by the late Thomas Walker, an original trustee, first Treasurer, and last President of the Academy; and as he has such an opportunity to make a daily blazon of his gifts, I shall offer no comment upon a pedagogical interlude in his life.

On the resignation of Mr. Roberts, David Prentice, a former Principal, now a Doctor of Laws, was invited to accept the position, but he declined.

It was now determined to sell to the county, for a Court House, the John Street front of the Academy lot, about one hundred feet by one hundred and fifteen, on condition, in addition to a pecuniary consideration, that the release of the remainder should be obtained from the original grantors and from the city, so that it might be free of all easements for courts and public meetings, which was finally consummated.

In September, Mr. Kinget was appointed Principal, in place of Mr. Newcomb, who seems to have been the successor of Mr. Roberts; but I can give no particular account of them, further than that Mr. Newcomb was disabled by sickness from the discharge of his duties, and that Mr. Kinget was his substitute for the time.

In April, 1852, a committee was appointed to confer with the School Commissioners respecting some arrangement by which the office of Superintendent of Schools and of Principal of

the Academy might be united; and, in August, a plan was suggested by the School Commissioners for a connection, to consider which a committee was appointed, indued with sufficient power and with all the disposable funds to complete the union, which appears to have been the last act of the Trustees under the old Charter.

In May, 1853, an act of the Legislature provided for an arrangement unique, and as yet I believe unimitated, by which the School Commissioners became the Trustees of the Academy, the life and soul of the old corporation, *virtute officii*, preserving the venerable Charter, and binding its vitality to that of the city itself, forever securing the pestilent one hundred dollars' income beyond a peradventure, and converting an old close corporation into one controllable by a popular vote.

By this arrangement, the venerable Thomas Walker, President of the Board, who had witnessed the birth, now witnessed the death, of the old *régime*, and was *functus officio*; but he fortunately had constitution enough to weather the change, and to survive it for several years, being the longest lived of all the first Trustees. He was a man of great simplicity of character; of good taste and judgment; never obtrusive, but always firm to his integrity and his principles of conduct; going at even pace with his contemporaries in all measures of private and public advancement, but not scheming hazardously or in the spirit of adventure; a true conservative, the highest praise; a safe, trustworthy and most estimable man. Mr. Oley also deserves to be commemorated as a man of humble pretensions, but of single-minded devotion to his trusts; open, frank and generous. Mr. Mann, as one of the School Commissioners, was revived as a trustee; but since the day of his election as trustee and Secretary, he had been the active soul of the Academy, as he was of all he had to do with; and his handwriting records the last act of the Board, which was an extinguisher of its old flickering close-corporate existence, snuffing it out as a candle.

In February, 1854, the new organization was accomplished by the choice of Edmund A. Wetmore (Chairman of the School

Commissioners) as President, and Daniel S. Heffron (Superintendent of the Schools) as Secretary.

Mr. Weld, a graduate of Brown University, was selected for Principal of the Academy, with three female teachers for assistants, and rules were framed for the regulation of the school. Mr. William Tracy, a School Commissioner of old standing, and of great efficiency and earnestness, to which he added high cultivation and literary acquirements, having removed to New York, Henry H. Fish was selected by the Common Council to succeed him as a trustee. By subscriptions and by appropriations made by the Regents of the University, the school apparatus was increased to the value of nearly eight hundred dollars. The standard of education was high, and pupils went to college with qualifications exceeding the collegiate standard. In December, 1857, Mr. Weld resigned, and the present Principal, a graduate of Harvard, succeeded him.

In 1859, a considerable expense was incurred in improving the old academic building, which was no longer a resort for courts, town meetings and the general public, but was strictly confined to its legitimate purpose of a place for instructing youth. It was not devoted, either, to one sex; but following the example of half a century or so previous, it was again a school for girls as well as boys, as it still is; and if it sends out as fine specimens of spinsters, wives, mothers, widows and grandmothers, as some of the old stamp whom I remember, it will do the community a memorable service.

In 1865, the old building, which cost the last generation so much effort and money to construct, and the subsequent one so much to refit, was destroyed by some incendiary hand, with all its outfit of books, apparatus and furniture; and the school was again exposed to the well-meant but harassing, hospitality of a Court House, where, with unsuitable and interrupted accommodations, the school has worried its way along until now it has found a permanent lodgment in this capacious, well-designed and, for its purpose, seemingly perfect building; and a monument to the liberality of the citizens

who have voluntarily incurred its expense, to the Superintendent, Trustees and Architect who planned it, and to those who have contributed by their skill and handicraft in constructing it.

For about ten years the present Principal has been in charge, greatly I believe, to the satisfaction of all interested in its prosperity. It is the crowning school of our system—a system of regular gradations from infancy to manhood, affording thorough instruction in all the elemental branches of learning to all who will devote the necessary years to their acquirement, and have the patience to go up the ladder round by round. What education and everything else in this country wants is thoroughness. Submission to training is particularly irksome to our temperament, and we are too readily satisfied with smattering superficiality. We are indeed under a sort of necessity, in our rapid growth, of premature activity in all the departments of life. Apprenticeship and training are our special abhorrence. We are unwilling to allow a third of life to be spent in preparation for the skillful and economical use of the rest of it. Uncultivated talents do our work after a sort, in a loose spendthrift way, and we have such a profusion of them that we are wasteful. In the professions, we abandon old beaten laborious tracks that lead to skill and perfection, and choose the short cuts of smattering and presumption. In the trades, we serve no regular apprenticeship, but depend on our own untutored ingenuity to accomplish mastery. If it is astonishing how much we have done in these rough, extemporaneous ways, it is equally astonishing how much we have allowed to be indifferently and badly done; and more astonishing still, that we have not only contented ourselves with it, but somewhat vaunted upon it, as the evidence of our superior ability to the rest of the world.

In this school, in addition to the more advanced branches of an English education, have always been taught the languages commonly called dead; and always may they be taught here! If Greek and Latin, and what they have inspired, could be extinguished, the life of all modern literature would be

extinguished too. All human knowledge in all civilized countries is vitalized and made universal by these dead languages. Dead! Yet they speak; they will live forever: so long as tongues talk, or pens write, in any language of civilization, they must live. Whoever strikes to the root of any modern language will discover it grounded in and nourished by the rich compost of the Greek and Latin, and their juices pervading the stem, the branches, the leaves and the blossoms that spring from that root; and whoever seeks the finest and perfectest models of all that is eloquent, all that is poetical, all that is logical and all that is philosophical, will find them in those languages most consummate, almost inimitable. In one sense they are dead, and happy in that sense is their death. It has fixed them forever; crystallized them in their state of purity and perfection, and freed them from the contaminations, fluctuations and impurities that are constantly tainting and incrusting living languages.

But the eminent advantages of an acquaintance with them do not require for their sufficient attainment a sacrifice of other acquirements; nor is the excess of devotion which is paid to them in the classical schools of England worthy of our imitation. The critical knowledge which is the result of high scholarship is not requisite to a fair comprehension and enjoyment of ancient literature, nor indispensable to its general utility. I understand the objections and criticisms of such eminent men as Mill and Lowe to be aimed, not against a reasonable pursuit of the old languages, but against the undue and exacting prominence which they maintain in the routine of the favorite schools and universities of Great Britain. It is not likely that the useful sort of mental discipline which is acquired by the study of them, will be as readily acquired by the study of anything else. They are a fixed pattern for grammar, for rhetoric and for correct taste in composition; and as mere disciplinary studies their place in a curriculum can not be filled by any known substitute of equal efficiency. The mere ability to read and enjoy the old classics is not the sole or the chief result of scholarship; but the habit of mind,

the training of certain of its faculties, the discipline of the memory and of the taste, which are acquired in the pursuit—these constitute the great and incalculable result as respects their educational value.

I ought not to conclude without saying that among those who illustrate by their subsequent life the old Utica Academy as their nursing mother, in such a conspicuous way as to be publicly distinguished, are names that may be mentioned for their distinction without any special canvass of their characters. In this way I may speak of James D. Dana, distinguished for his scientific acquirements and his popular textbooks, and for having crystallized the science of Mineralogy, particularly that branch of it known as Crystallography; of Samuel Wells Williams, whose publications and official positions with respect to Chinese affairs and history are of high fame; of Harrison G. O. Dwight, whose long services as a missionary in Turkey shed a lustre upon his life that is reflected upon the old Academy.

A name may be found on the early academic records that suggests such grave historic doubts as should be solved, if possible, before they grow to the magnitude of the controversy not yet decided, respecting the birth place of Homer. That name is *Horace* Seymour, who is numbered among the classical students of 1822 or 1823. Who was he? Except for the similarity of sound with another name which naturally connects itself with the family name of Seymour, it might be dismissed as the affix of some inferior and obscure pupil who sheds no lustre upon the academic annals. Happily a diligent research, aided by a personal memory of contemporaneous events of that early day, enables me to solve the mystery, and save the waste of ink and guess-work on a curious inquiry. Some might suppose that the real name of this juvenile aspirant for academic laurels, might be traced back to that Cocles "who kept the bridge, in the brave days of old,"

When "none was for a party,"
When "all were for the State":

or to the celebrated Horatii embalmed in later Roman history; or to Quintus Flaccus, of lyric and vinous memory; but it really goes no farther back than to that eloquent Horatio, without a surname, who was "learned enough to speak to a ghost" and whose bosom friend, the Prince of Denmark, shrewdly advised him that "there were more things in heaven and earth than were dreamed of in his philosophy." The true name of that pupil is Horatio,—not aspiring to the full patrician sonorousness of *Horatius*, nor descending to the pettiness and curtailment of simple *Horace*, but a suitable medium and compromise between venerable antiquity and modern degeneracy,—a mediæval name. The truth of history, therefore, requires that the Academy lists, although sworn to, should be so amended as to carry with them the name of Horatio Seymour,—*bis Gubernator, et Præses possibilis*, "one of the few, the immortal names," connected with the Academy; "that were not born to die," or even to be obscured by an *alias*.

There may be others whose names have escaped me, and probably there are, for I have had few lists at my command. I know there are many who have quietly adorned the circles of private life and business, and have acquired a local fame and honor that reflect as much real credit upon an *alma mater* as a career of public renown. Sure I am that a more respectable catalogue, if a more distinguished one, can not be collected from the records of any academy, in proportion to its number of pupils, than might be arrayed to vindicate the good repute of this. Long may this imposing structure stand, defying time, earthquakes and incendiarism, to admit, educate and send out the youth of the city to leaven, adorn and elevate all the communities in which Providence may fix their sphere.

THE PASSION FOR RICHES; AND ITS INFLUENCE
UPON OUR SOCIAL, LITERARY AND
POLITICAL CHARACTER.

A LECTURE DELIVERED BEFORE THE YOUNG MEN'S ASSOCIATION
OF THE CITY OF UTICA, FEBRUARY, 1838.

——— Hic, nullo fine beatus,
Componit opes, gazis inhians;
Et congesto pauper in auro est.
SENECA. *Hercules Furens*.

UTICA, February 19, 1838.

JAMES WATSON WILLIAMS, Esq.

Dear Sir,—The undersigned, having been appointed by the YOUNG MEN'S ASSOCIATION of this city a Committee, to request a copy, for publication, of your Lecture delivered before them on the 7th inst., take great pleasure in the performance of their duty. The most of us were personally present at its delivery, and are therefore able to speak, from personal knowledge, of its merits. From the style and manner of the Lecture, we consider it one calculated to reflect honor on its author, and the Body before whom it was delivered, and, from the valuable sentiments set forth in it, calculated to do good to the community. Entertaining these opinions of your Lecture, we venture to express a hope that you will not forbid its publication.

We are, very respectfully,

Your obedient servants,

WARD HUNT,
E. MAYNARD,
G. S. DANA,
H. SEYMOUR.

THE PASSION FOR RICHES; AND ITS INFLUENCE
UPON OUR SOCIAL, LITERARY AND
POLITICAL CHARACTER.

MAN is naturally desirous of whatever confers distinction, or gives him influence and power. The lust of superiority, either fancied or real, positive or comparative, distinguishes the race. Some delight to soar above their fellows in the achievements of intellectual exertion. These become the masters of science and of art; and receive willing homage throughout the realms where reason and fancy have their dominion. Some seek their elevation by means of those influences which govern men through their necessities, their appetites and their passions. Some choose to pursue those distinctions which, with fine propriety, attend the display of extraordinary virtue and integrity; and some, like him who fired the magnificent Temple of Diana, those which exalt even crime, and make its perpetrator infamously famous. Thus, in one way or another, commendable or reprehensible, all, with rare exceptions, and each in his several sphere, covet consideration and preëminence.

It is not difficult to decide what kind of reputation, if commonly sought after, would most advance the general happiness. It would undoubtedly be that which follows the exercise of the virtues. Unfortunately, however, such is not the prime object of ordinary ambition. That which commonly impels men to enterprise and sways their conduct, is of a less noble character. True, it implies the practice of some of the virtues; but it also involves the free indulgence of some of the frailties. Thus, to acquire wealth and the advantages it confers upon its possessor, it is not industry, prudence, frugality

and uprightness that *alone* conduce to that end. These generally lead but to a competency. Mere good fortune and the accidents of position out of the question,—the acquisition of great riches is too often the result of sacrifices which no truly good man can conscientiously make; sacrifices of generosity, of the obligations of charity and humanity, of exact equity and of the duties justly owing to society. There was much truth in the remark that was made of one who had acquired a fortune of millions: “that no man could have heaped up so much who had done his duty to his family, his friends, and his country as he went along.”

The unrestrained desire for riches is the fruitful mother of much that is noxious; which wealth possessed does not remedy, nor wealth distributed set right. I say the *desire* for riches; because it is a just distinction, and one too often overlooked, which is made between the desire and the object of it. “The *love* of money is the root of all evil”; not money, but that extravagant fondness for it which is apt to absorb the soul to the neglect of whatever is becoming to humanity. That wealth has its advantages, both intrinsically and in the influence it carries with it, is not to be denied nor doubted. In truth, there is nothing, except the more exalted gifts of nature or of education, that can aspire to equal it. It gives to those who are indifferently blessed, both by nature and education, an advantage which even these often fail to render. It commands respect and weight where other endowments are ineffectual to secure them; and in the character of an auxiliary and a minister, its value is inestimable. “A full purse never lacks friends.”

The possession of riches is more especially coveted by the mass of mankind, not only because it gives them a degree of consideration to which their genuine worth of character would not always justify them in aspiring, but because it is within the grasp of common ability. They seek it as an adventitious aid towards the eminence they would reach. The most lofty and desirable distinctions can be acquired by only a few; and they are bestowed principally upon extraordinary genius and

eminent public services. The majority of men are therefore restricted to distinctions of a less elevation. Most of this class arise not so much from mental superiority, as from the accidents of birth and fortune; or from the constant and successful direction of middling ability to some favorite end. Of all worldly ends, the attainment of wealth seems to be the most decidedly attractive. There is a pleasure in the accumulation, a pleasure in the use, and a pleasure in the mere possession of it. It is, besides, an influential instrument; and in the hands of the shrewd or the aspiring, stands in place of other endowments intrinsically more valuable.

When we consider that to possess riches is not generally to possess happiness, it appears singular that the ardent love of them should be so universal as it is. But the same thing may be said of all distinctions. They are of themselves far from yielding, to a rightly balanced mind, much real enjoyment. The most happy among men are they who make contentment with that they have, occupy the place of desire for that they have not. But in the same proportion that they accomplish this, they seem to sink in the estimation of the world. They glide through life with a "velvet pace," unnoticed and unenvied; unless their quiet and unobtrusive pursuits, like those of Newton and Locke, are of that exalted intellectual character that gives them fame, while their real object is only to benefit mankind. The ambitious, the restless, the insatiate, and the insatiable; they who seek constantly to improve their condition, however prosperous it may be; are generally those who obtain the greatest share of observation and of envy. To be observed and envied, is to be distinguished; and that is enough to satisfy the cravings of a common ambition.

Perhaps, however, this is a very unsatisfactory mode of philosophizing upon the passion for riches. It may be that it attributes too much to a fondness for consideration and influence, and therefore for the means which secure them; and too little to the very common and very inexplicable affection for wealth simply because it gratifies avarice, and to the equally common but less singular attachment for it because it

ministers to an easy, luxurious, or extravagant life. But to whatever causes we may refer its existence, that it exists, and is one of the most violent impulses of human action, is not to be denied. It sways the mass of mankind as if it were an in-born principle. *Rem, quocunque modo, rem*—wealth, no matter how, but wealth—are the syllables that govern the world. The temple of mammon is thronged with constant and most devoted worshippers; and if the power of an idol may be measured by the numbers that flock to his shrine and pay the most abject homage, the blind and lame and winged god Plutus may, of all others, confidently claim the preëminence. Most men would rather be perplexed with the treasures of Croesus than enjoy the poverty and the happiness of Solon.

In this country, wealth imparts an influence which nothing else but talents and station can command. We have none of those differences of birth and degree which elsewhere divide the community into artificial ranks. Here, nothing is hereditary, except physical disease. Neither office, nor patronage, nor estates, descend from generation to generation. Every one is wisely left to be the artificer of his own fortune. It is this circumstance, perhaps, that strengthens in our citizens the tendency they all seem to have towards the attainment of riches. They do not all reach the end they aspire to; but the aspiration is of itself a sufficient evidence of the disposition. Comfort and competency seem to have no charms for us. No sooner do we attain these than we grasp at opulence and luxury.

Not to pursue, however, any longer these general reflections, I propose to examine into the influence which the passion for wealth exerts upon our social, literary, and political character. It is a wide field to be traversed in the scope of a single lecture, such as your time and patience would tolerate, or my own leisure and ability enable me to prepare. But we may collect, even in a hurried passage through it, somewhat that will not be entirely uninteresting or unentertaining.

I do not intend when I speak of the "passion for riches," that moderate desire which every man properly feels to place

himself in an independent position; but that appetite for gain which borders upon avarice, if it does not become avarice itself. Thus understood, it may be affirmed that it materially affects our social condition, and that unfavorably. It is essentially a selfish passion; and social life demands constant sacrifices of selfishness, not only seemingly, but really. "It is a poor centre of a man's actions—*himself*," says Lord Bacon; and yet, poor as it is, it is the centre towards which the industry and care of those who seek riches perpetually converge. The devotee of money is commonly so much occupied with his prime object, that the social pleasures and duties have little charm for him.' While he should be contributing his share to human enjoyment, he is more willingly employed in gloating over his gains, or in devising new means of augmentation. Business devours him; not that business simply which is necessary to the support, the occupation, and the innocence of life, and the securing of all its reasonable gratifications; but that which consists in heaping up treasure to gratify a sordid ambition or pamper extravagant appetites. He forgets that "riches are for spending; and spending for honor and good actions"; and oftentimes nothing but a fear of the world's contumely extorts from him those doles and donatives which are demanded to support good neighborhood and the institutions which charity and public spirit are ever forward in establishing. These, in truth, depend, for their foundation and continuance, not upon any munificence of his, so long as he lives to fondle his treasures. It is the men of middling means who contribute the most, and most disproportionably too, to those public endowments and private charities which lighten the hearts, by administering to the necessities, of the wretched; or elevate the race by encouragement, sympathy, and instruction.

But a want of liberality and of interest in the affairs of society is not his only failing. If we note candidly the steps by which opulence is reached, we cannot but confess that it is not unfrequently by practices which, though by the courtesy of the world they are called fair and honest, will not bear the test

of a searching and severe morality. It is by hard bargains; by exorbitant exactions; by shifts of trade; by mercenary alliances; by concealment or exaggeration of the truth; by cunning and overreaching; by a constant watchfulness of chances; by gambling in stocks; by monopolies of the necessities of life; by the unworthy exercise of influence and power; by taking advantage of the necessities of others when true nobleness would render as an unpurchased favor what is too frequently granted from the mere impulse of a gainful propensity. "The ways to enrich," says the same great writer before quoted, "are many, but most of them foul." "There is rarely any rising, but by a commixture of good and *evil* arts." "Honesty," says Selden, "sometimes keeps a man from growing rich"—but "he that will give himself to all manner of ways to get money, may be rich." A fine poet corroborates these remarks, and adds an excellent moral:

"Riches are oft by guilt and baseness earn'd;
Or dealt by chance to shield a lucky knave,
Or throw a cruel sunshine on a fool.
But for one end, one much neglected use,
Are riches worth your care; (for nature's wants
Are few, and without opulence supplied;)
This noble end is, to produce the soul;
To show the virtues in their fairest light;
To make humanity the minister
Of bounteous Providence; and teach the breast
The generous luxury the gods enjoy."

Wealth hides many defects of character, and glosses over the arts by which it was attained. After one has reached it, unless it be by the most glaring knavery, we do not often look back to the

"base degrees
By which he did ascend."

If we knew how much of many fortunes is the fruit of a concealed sort of iniquity, which the common consent of the world rather countenances than condemns; and were capable

of appreciating justly the tendency of those dispositions which accompany the successful pursuit of wealth; a regard for the true happiness of society would prompt every good citizen to restrain the passion within the limits that wisdom prescribes. We should check it, as we feel bound to check the violent physical passions. Every man stands in need of a competency, and no man in need of anything more. It may be acquired too without the indulgence of any vicious ambition. It is the medium which Agur desired as most conducive to innocence of life; deprecating the extremes of poverty and riches as equally baneful to his happiness. It is precisely the point where human aspirations after worldly enjoyments should end; but it is precisely the point where the itch for affluence, which is falsely supposed to yield superior felicity, begins. What is a competency, however, depends upon state and circumstances. "That," says Selden, "which is a competency for one man, is not enough for another, no more than that which will keep one man warm, will keep another man warm; one man can go in doublet and hose, when another man cannot be without a cloak, and yet have no more clothes than is necessary for him."

If the object of pursuing wealth were profitably and generously to use, rather than sordidly to heap it, we should not have so great cause for wonder at the pains, anxieties, embarrassments, and sacrifices voluntarily undergone by its votaries; and society would be somewhat compensated, for the evils which the passion begets, by the willing and prudent distribution of the gains of the prosperous. But to accumulate, is the natural tendency of the passion; and the motives for it are various. Some hoard for the benefit of their posterity; some for the gratification of their own appetites; some are saving and niggardly all their lives with no other apparent design but to make a splendid display of generosity in their testaments. The liberality which should have constituted the adornment and duty of their whole existence, is reserved to crown their exits with a magnificent testimonial of their devotion to some favored object; hitherto, perhaps, languishing into obscurity for want of their timely benefactions.

It may be thought somewhat singular advice to come from one whom Pope calls the "meanest" of mankind; but it is good advice notwithstanding: "Defer not charities till death; for certainly if a man weigh it rightly, he that doth so, is rather liberal of another man's than of his own."

The love of riches seems to "grow with that it feeds on"; and, long indulged, it degenerates into the wretched vice of avarice, the frequent frailty of old age. "There are people," says La Bruyère, "who are badly housed, badly lodged, badly clothed and more badly fed; who sustain the rigors of the seasons; who deprive themselves of the society of men, and pass their days in solitude; who suffer from the present, the past and the future; whose life is a continual penance, and who have thus discovered the secret of going the most thorny way to perdition." One would judge that this forcible portrait was designed to represent Troglodytes or Lazzaroni at the least. "These," however, continues La Bruyère, "*are misers.*" They are men of wealth, who exhibit the prevailing attachment to it in its most palpable and disgusting form. It is no caricature of them; and, with a proper softening down, many of its features are characteristic of those worshippers of mammon whom the world respects.

There are periods when this insatiable thirst for gold is aggravated into an epidemical disorder that pervades all classes of society. Its effects, then, upon the social system are apparent and alarming. Every one feels himself a Midas, endued with the power of transmuting all he touches into gold. The brilliant gloss with which the first gleam of distant affluence tinges every thing that the eager imagination seizes upon, deludes men to indulge a thousand glittering expectations, raised but to be mocked and blasted. The high and the low, the rich and the poor, the industrious and the dissolute; all, excited by this bewildering passion, neglect or abandon their present callings to launch out upon a deceitful current, with the depths and shoals of which they are unfamiliar; confident that it will bear them to an El Dorado that has no real existence. Multitudes are wrecked by the way; and the ruins of hitherto

thriving business, of respectable competency, and frequently of worth, integrity and character, that attend upon their disastrous career, are melancholy illustrations of the truth of the saying—"They that will be rich fall into temptation and a *snare*." In such times, men run headlong to sacrifice the substance of which they are already secure, that they may grasp an illusory phantom, and be mocked with a shadow. They involve themselves deeply, perhaps irretrievably, in embarrassments; and mortgage the industry and hopes of their remaining years to extinguish incumbrances which Fortune, who is not to be won except by assiduous and persevering wooing, has buckled on their backs as badges of their reckless folly.

The tendency of all this is to disturb society, to unsettle habits, and to humble self-respect. Who can tell how many a wretched victim of intemperance, of idleness, of shame, of abject poverty, has been reduced to that humiliation by the disappointment of his senseless and deluded aspirations for sudden opulence? How many a miserable man, still upright in his misery and virtuous in his misfortunes, has been broken down in his spirit and his native dignity of feeling, by the prostration of designs formed for his enrichment and elevation; the only fruit of which is a burthen of perplexities and discouragements that the energies of a life-time cannot effectually alleviate?

I have said that the passion for riches is essentially a selfish passion. The remark was made in reference to its influence upon our social character. It is also an engrossing passion. In its most violent degree, it absorbs the mind to the exclusion of every thing else, intellectually; and, physically, it often stints the body not only of reasonable indulgences, but of wholesome sustenance. This is an extreme, however, which we rarely witness; and to make use of it to exemplify the usual effect of the appetite, were to color it far too highly. Downright misers, as La Bruyère has portrayed them, are happily very few; avaricious men are more common; and it may be affirmed very generally of those who are affected by a

marked desire for accumulation, that, in proportion to its strength, they are disposed or constrained to curtail not only physical but intellectual enjoyment. It is this characteristic of the passion that is to be considered as bearing upon our literary character.

The paths of knowledge, to those who have tasted the beauty and variety of the delights which constantly spring up about them, are as pleasant and peaceful as are the ways of virtue to the good. So strong is this impression of their delightfulness, and of its perennial and unpalling endurance, that it has become a part of the belief of those who look forward to happiness in an after life, that it will consist, next to the presence of the Deity, in the fruition of a constantly expanding intelligence. There is much even in this world which they burn to penetrate, but which is wrapped in darkness to the eye of the wisest and most profound. Theirs can hardly be deemed a fanciful creed who believe that a hereafter is to unfold to their ardent minds not only the mysteries of the present, but the intellectual glories of the future. Here, though we do but "know in part," yet this partial knowledge inflames us to seek the more earnestly for that fullness of intelligence which is thought to be reserved to crown the felicity of our coming existence. The pursuit of wisdom is constantly enforced in the sacred writings, and by the teachings of philosophy, as the noblest and most congenial to human happiness, temporal or eternal; and it has no more constant or powerful antagonist than the love of mammon. Solomon felt this when he besought of God only wisdom; but God, out of regard to his moderation, rewarded him with the two-fold distinction of the greatest wisdom and the greatest wealth.

A humble condition in point of pecuniary resources, and even poverty itself, has always proved the most faithful foster-mother of genius and intellectual exertion. I need not labor to show this by illustrations. "Wealth," says Jean Paul, "weighs heavier on talent than poverty. Pressed to death beneath mountains of gold and thrones, lies perhaps buried many an intellectual giant. When into the flames of youth,

the warmer faculties being in their fullest glow, is poured the oil of riches, little of the Phoenix will be left but lifeless ashes; and only some Goethe has the vigor not to burn his wings shorter at the sun of Fortune. Not for *much money*," continues he, "would the present poor historical professor have had much money in his youth. Fate deals with poets as we deal with birds, and darkens the cage of the songster until he can sing the notes that are played to him." These fine sentiments are introduced by an apostrophe to poverty. "Welcome! so that thou dost not come in one's too late days."

In a similar strain is the remark of Ockley, a learned student of Oriental Literature of the last century, who writes in a prison where he was confined for debt, "I have enjoyed more true liberty, more happy leisure, and more solid repose, in six months here, than in thrice the same number of years before. I did always in my judgment give the possession of *wisdom* the preference to that of *riches*."

Men of letters do not often attain, and seldom aspire to, any thing beyond a competency; although there are instances, like Scott and Goethe, of their arriving at handsome fortunes, the fruit of their literary labors. Their ambition is not of the kind which tends to avarice. It is of an intellectual character. Supply the physical necessities of a student, and he desires little besides but fame,

"Nor blames the partial fates if they refuse
The imperial banquet and the rich attire."

His delight is not in those avocations which hamper the energies and obstruct the developments of the soul; and although the necessities of life, or the circumstances of his position, may require him to do his part in these, his mind is not wedded to them, nor harrassed by the cares and fears which the cupidity of gain begets in other men.

We rarely find wealth praised by the poets; although the wealthy were their patrons. Their eulogiums and wishes are confined to an easy and dignified independence. The life of the husbandman and the shepherd appears to be their beau

ideal of happiness; and husbandmen and shepherds, we all know, are less distinguished for affluence than for contentment. Theocritus, Virgil and Cowley are eloquent in their praises of the pastoral life; and Horace, rich in the modest retirement of his country seat and the applause of his cotemporaries, could unreluctantly decline place and emolument at the hand of Augustus.

To follow wealth to the greatest advantage, it is as necessary to be devoted to it, as to attain excellence in science or art, it is requisite that the favorite branch of either should have our whole study and ardor. Every thing in which one desires to be preëminent must be the occupation of a life. Hence it is that they who are attracted by the glitter of gold have little leisure, as well as little inclination, for more ennobling pursuits. To add acre to acre, or pound to pound, is as much their delight as it is with the literary to increase and display their stores of knowledge.

It is too much the case in this country that we underrate scholars and their acquirements; that is, we are apt to think of a man who addicts himself to science and literature, that his time might be turned to more profitable account were he engaged in some calling that would tend more directly to the increase of his fortune. We are all for the practical; by which we mean that which has little to do with mental advancement and every thing with gain. We appear to consider the modicum of knowledge which enables one to pursue business with profit, as all abundant in the way of education; and that whatever exceeds that weakens the capacity for the affairs of every day life. The consequence is, that shrewdness in turning a penny or driving a bargain has become a sort of national characteristic. Our enterprise, which is distinguished, is directed rather to the increase of our opulence than to the elevation of our minds. We so much magnify the one that we almost overlook the other. We seem to estimate the possession of riches as the chief good, and the want of them as a crime which should subject those who acknowledge it to the same allegorical prison into which Arasmanes was thrown

when he found himself in a country where the people worshipped only one deity, the God of the Precious Metals; and where not to have these was not to have virtue. "What a strange—what a barbarous country!" cried Arasmanes. "Barbarous!" echoed the Prince; "this is the most civilized country in the whole world—nay, the whole world acknowledges it. In no country are the people so *rich*, and therefore so *happy*. For those who have not money it is, indeed, a bad place of residence; for those who have, it is the land of happiness itself!"

In proportion to our population and our resources, we have very few distinguished scholars and authors. The mass of those who deem themselves such are rather superficial than thorough and accomplished; partly owing to a want of early training, and partly to a deficiency of those endowments which it is the honor and should be the duty of opulence to found for their support and encouragement. The temptations to excellence in science and letters are not sufficiently abundant to detach men from subordinate pursuits. It will always be thus until our citizens have learned that the seductions of affluence are not so worthy of their sense or their ambition as the less obtrusive attractions of knowledge and wisdom.

The effects of the same passion are apparent in the general neglect of education. True, every one is taught something elemental; but many parents, unmindful of the old homely maxim, that "learning is better than house and lands," stint their children in point of literary accomplishments that the savings may be reserved to set them off with a fortune, which, to the uncultivated, generally turns out to be the greatest of all misfortunes. Were the gold that is saved to corrupt and ruin them, expended in training and furnishing their minds; were they not snatched from their studies in the greenness of youth, because a pitiful parsimony is best consulted by curtailing their intellectual advantages; we should not only have riper scholars, but more finished men.

This division of the subject, however, cannot now be extended. The connection between the passion we are con-

sidering and our literary character is not sufficiently palpable to be pourtrayed by hasty strokes. It is a theme that is worthy of a more amplified discussion than I am able to bestow upon it. But it is one to which our attention should be oftener directed than it is. Literary and scientific pursuits eminently become a peaceful and thriving nation. They yield enjoyments and distinctions far more excellent and gratifying than those which occupy the senses or tempt the ambition of the sordid. Cicero will be remembered, when Croesus shall be forgotten.

In considering the influence of the passion for riches upon our political character, it is to be noted that ours is a republican, and designed to be a plain, government; and that virtue, talent, and public services constitute our only legitimate distinctions. In monarchies, rank and opulence confer superiority; the one of necessity in that kind of polity, and the other to support the first. Both being usually hereditary, while they constitute no evidence of superior worth, they still confer this great advantage: that they either extinguish or greatly modify in one class of the community, that strong gainful propensity which humbler circumstances encourage in the multitude. But a republic is upheld by no such artificial supports. There wealth may be useful as an auxiliary, but it is inefficient as a main dependence. On the contrary, it is often the bane of simple governments; while monarchies, oligarchies, or despotisms may thrive upon the corruptions which it engenders and feeds.

It was the aim of Lycurgus to equalize property in order to perpetuate the severe and simple laws which he established in Lacedæmon. They stood as monuments of his wisdom for seven hundred years, and it was then principally the introduction of money that corrupted that people. In a highly commercial state, and particularly in this age of the world, different laws must govern. But if we look back to our own early history and contemplate the examples of our ancestors, we shall observe, with somewhat of bigotry and intolerance to avoid, much that it is highly desirable we should imitate. The

Pilgrims, when they landed from the Mayflower—a weary and comfortless group—had little to rely upon but God and their own severe virtues; those virtues which adorn freedom, no less than they become Christianity; which give life, vigor, and endurance to a republic. The first was *Industry*, without which it was impossible to render their condition tolerable; in its train followed *Frugality*, the exercise of which, at all times desirable, was rendered imperious by circumstances; *Perseverance*, essential to the ultimate success of all human efforts; *Temperance*, necessary to the rational enjoyment of life, and to the support of all the other virtues; *Courage* for the defence of their new possessions; and *Fortitude* to endure the disasters and reverses of their exposed condition. On these virtues, next to Heaven, as on a foundation of rock, did they depend as the chief supports of their independence and prosperity. They adhered to them with Spartan, nay, with Christian rigor; and taught their posterity to revere and cultivate them as their chiefest and surest safeguards, and their most desirable inheritance.

Years and generations passed away; but these simple and elevating virtues, transmitted from father to son, endured in unabating vigor and gave an impress to the increasing population of the colonies. Educated to the noble and independent pursuits of agriculture, or to the more enterprising, but less innocent ones, of commerce; luxury, extravagance and effeminacy, the usual vices of prosperity, had not sapped the soundness of their character. Without opulence, and therefore without the corruptions that are its common attendants, they entered courageously upon a warfare which, having exercised all their capacities for endurance, ended triumphantly in the establishment of their freedom. It was the victory of exalted virtues, from which we have greatly degenerated.

I speak strongly, but I think truly. Our present condition will amply justify the assertion. Without entering into any partisan disquisition as to the difficulties under which our country labors; a disquisition which the occasion would not allow, however sincerely it might be attempted; it may be

safely and properly said that, so far as they are real, they are attributable in no slight degree to a neglect of the substantial good qualities exemplified in the lives of our progenitors. Were they contented with a moderate competence? We are greedy of more abounding riches. Were they frugal? We are running into a ruinous extravagance. Were they stable and persevering? We are ever varying our pursuits in the vain hope of realizing wealth in some different avocation from that to which we were educated. Like Atalanta, with whatever determination we at first set out in life, we hardly begin to run the race with energy before we are tempted aside by the golden apples. We forsake our farms, our merchandize, our workshops, and our professions, and seek elsewhere that affluence which only perseverance can secure. Instead of cherishing those qualities which are vital in a republic, we are imitating the vices of monarchies where there are vast accumulations of hereditary wealth. It is time we should return to the ancestral virtues. They are the essential virtues which bless and adorn life, and become a plain and republican people.

This contrast, however, of the present and the past may possibly be met in the minds of some by a similar feeling with that which prompted Mammon, in the *Faery Queen*, to rebuke Sir Guyon for dwelling upon the simplicity and happiness of the early ages by way of placing in a more striking light the encroachments of avarice and indulgence;

"Son" (said he then), "let be thy bitter scorn,
And leave the rudeness of that antique age
To them, that liv'd therein in state forlorn;
*Thou that dost live in later times must wage
Thy works for wealth, and life for gold engage."*

But with all deference to such feelings, the "antique age" is too rich with useful experience to be "let be" or forgotten by those who regard our political advancement and security. If we judge from the past, there appears to be in nations a constant tendency towards degeneracy and downfall. After arriving at a certain pitch of prosperity, their course is generally

downwards from prosperity to indulgence, and from indulgence to ruin. It therefore concerns us to learn a lesson from the past, and to seek to avoid those vices which have precipitated the most flourishing states to dissolution. The common evils which beset a highly successful condition are luxury, extravagance, and effeminacy. Prosperity, however, *may* be enjoyed without those usual concomitants; and it should be the chief study of this great people, as it was the ardent desire of their unostentatious ancestry, to reach that desirable point of national happiness where abundance may be possessed with philosophy, and ease without dissoluteness. But it is to be feared that we have already wandered somewhat wide of the true path to this wished for consummation, and have been too much bent upon discovering some royal road to riches. The husbandman has left his fields untilled, to tempt fortune in distant parts of our domain; the merchant, easy in credit, and confident in his resources, has drawn upon the future, and meantime run riot in indulgence; the professional man has abandoned his books, and sought in speculations a rapid increase of that wealth which Providence designs as the reward of well directed and virtuous labor; labor which, under the semblance of a perpetual curse, is the most constant of blessings. An inordinate spirit of gain seems to have infected us all to madness; and, like gamesters, attracted by delusive hopes, we have deviated from the direct course to happiness until the loss of fortune and credit begins to recover us to our senses. We may now learn anew the neglected paternal lesson that industry, frugality, and stability in our respective pursuits, will in this favored land ensure to every man a competence; and a competence, despise it as we may, is real wealth. We should acquire and soberly enjoy it; and leave it to our descendants, as our forefathers left it to theirs, to make a similar acquisition and obtain similar enjoyments for themselves. It will be a more valuable legacy than any we can provide for them. Such has been the aim of our plain institutions. We have endeavored, and that most wisely, to do away with those false distinctions which arise from the

possession of riches; and to secure their distribution amongst all the citizens of the republic, by discountenancing extravagant accumulations for the ruin of posterity.

As another evidence of our inclination to degenerate, I may refer you, I think with truth, to a distaste daily manifesting itself towards the pursuits of agriculture. The reason is evident, and has been forcibly assigned, generations ago, by Lord Bacon. "The improvement of the ground is the most natural obtaining of riches; for it is our great mother's blessing, the earth's; BUT IT IS SLOW." Men therefore press from the country to the town, to engage in callings that promise speedier profit but less independence. Agriculture, however, as it was the earliest, so it is the most honorable, innocent, free, and manly of all human avocations. "The first three men in the world," says Cowley, "were a gardener, a ploughman, and a grazier; and if it be objected that the second of these was a murderer, I desire it will be remembered that as soon as he became so he left our profession and turned builder." "If heraldry," he continues, "were guided by reason, a plough in a field arable is the most noble and ancient arms." "Hate not laborious work," saith Ecclesiasticus, "neither husbandry which the Most High hath ordained." There is no employment in life of equal necessity and importance; and there is certainly none so well designed to foster the substantial virtues and maintain a republic in its severe simplicity. It is the grand dependence of our country; and had we exhausted the riches of our extended and fertile soil, instead of chasing the *ignes fatui* of wealth, we should never have been reduced to the humiliating necessity of depending upon foreigners for our bread.

It may be laid down as a principle that those arts and occupations which reasonably reward labor, without yielding inordinate gains, are the best calculated to promote our true and permanent interests. It is upon them that the severer virtues delight to attend; while expense, effeminacy, and extravagant indulgence are the frequent accompaniments of all the rest. Those, therefore, demand our highest respect and

encouragement; and these should only be countenanced so far as they are positively needful to private and public welfare. In proportion as this principle is allowed its just influence in determining the direction of our energies and the selection of our pursuits, shall we gain in contentment individually, and nationally in stability. It is the constant rush towards whatever scheme, employment, or speculation for the moment tempts our cupidity, that disturbs the balance of affairs, whether private or public, and keeps them in perpetual turmoil; while the last cause we generally blame for the evils thus occasioned is our own restlessness and dissatisfaction with a quiet course of advancement and prosperity.

I hope it may not be inferred from any remarks which have been advanced, that I am insensible to the striking advantages that the desire to prosper in our worldly affairs, which is a modification of the passion we have been considering, produces upon our character in the various aspects in which it has been cursorily viewed. That they have not been more particularly touched upon is not because they are lightly estimated; but because the limits proposed for treating upon the subject confined me to the excessive cupidity, the exclusive devotion and the sordid greediness which distinguish the passion in its stronger developments. The impulse to place one's self in an easy condition of life is approved by both philosophy and religion; but it is a different impulse from that to which your attention has been particularly directed. This is a headlong current, setting violently from a pestilent fountain, and poisonous to every thing that seeks to vegetate upon and adorn the repulsive rocks that border it; that is a quiet and refreshing stream, flowing from a healthful source, and upon its fruitful margins flourish all the virtues and graces which impart a charm to prosperity and stamp humanity with nobleness. It is these which

“work the soul's eternal health,
And love, and joy, and gentleness impart;
But these thou must renounce, if lust of wealth
E'er win its way to thy corrupted heart;

For ah! it poisons like a scorpion's dart;
 Prompting th' ungenerous wish, the selfish scheme,
The stern resolve, unmov'd by pity's smart,
 The troublous day, and long distressful dream."

LECTURE BEFORE THE YOUNG MEN'S ASSOCIATION,
FEBRUARY 6, 1839.

(As the first part of this address is almost identical with that delivered before the Alumni of Geneva College in 1844, only the latter part is here given, to avoid repetition.)

Associations of a literary and scientific character constitute other instruments in the diffusion of knowledge, which, considering the occasion on which I address you, come properly under review. "Certainly," says Bacon, "the multiplication of virtues upon human nature resteth upon societies well ordained and disciplined." So does the advancement of learning. It is through the medium of those of a high rank that some of the most astonishing discoveries of modern times have been ushered to the world, and that inventions and improvements of all kinds have been fostered into notice and use. The great Societies of England and France are particularly distinguished for the lustre which they have shed upon science and the arts, more brilliant than that which was imparted by the Academies of Greece and Rome. In the investigation of natural and physical truth the latter can boast of no names to compare with those of Newton and LaPlace, and in mental and moral philosophy some distinguished fellows of those celebrated societies, if not so ingenious and refining as the ancient philosophers, have conducted their investigations so as to approach nearer to truth, and to extort a more unqualified assent of enlightened intellect.

Of a humbler character, however, are as yet the associations of this country. They are more circumscribed in their means, depending for the most part upon the private liberality of their members. But if they have done comparatively little

to make them celebrated, they have done much that is useful; and a century or two may behold some of them famous. As wealth accumulates and leisure abounds, we may probably see a race of scholars arise who with the encouragement of such institutions shall repay to science and art the debt which through the great men of ancient and modern days they have conferred upon us. Meantime it is our duty to foster the beginnings, unpromising as they may be, of those institutions which time and occasion may one day elevate into competition with the distinguished associations of other lands, as well as of those which aspire to nothing more than present mutual improvement. Of the latter character is the Association which I have the honor to address.—Its objects are threefold—all tending to the advancement of knowledge and the improvement of the mind. The first of these is designed to furnish a supply of information by means of a public reading room and library—where not only may be acquired a knowledge of current events, but where may be consulted those intellectual legacies which the wise and learned of other times have left to posterity.

“A man,” says Selden, “that strives to make himself a different thing from other men by much reading, gains this chiefest good, that in all fortunes he hath something to entertain and comfort himself withal.”—“Reading,” says Lord Bacon, “makes a full man.” A mere book worm is a full man to repletion. The design is not to make book worms, but to place within the reach of all, those aids which may be necessary to their pursuits, or may amuse and instruct their leisure; to infuse and to gratify a taste for the productions of the press; to keep constantly open, or at least during the usual intervals of business, a resort at once agreeable and useful, which may tempt to intellectual pursuits those who might otherwise be seduced into vicious courses of sensual gratification. It is not necessary, however, to enter at large into the advantages of a well arranged reading room and library. They are better appreciated than the other objects of the Association to which I design more particularly to direct your attention.

Another of these objects is improvement in the art of public speaking—an art which to the young men of this country if they desire to acquire the popular favor and rise to public eminence is of the greatest importance. This object has been more neglected than either of the others which the Association has in view; and this neglect will prove a sufficient apology, I trust, for repeating in this connection some observations which I have heretofore had occasion to make, less publicly than now, upon a subject deserving more attention than it generally receives.

The faculty of speaking in public with grace, fluency and forcibleness, has always won the admiration of mankind. The man who possesses it, is for that faculty alone, however unworthy he may be in other regards, held in uncommon estimation. Whenever vice is to be reprehended, delinquency exposed, or virtue applauded; whenever by the power of argument or the force of words, which possess such a wonderful influence over human conduct, any thing noble or patriotic is to be effected by united action; to whom do we naturally look, but to the man of eloquence, as the efficacious instrument? It is on such occasions involving the public welfare, no less than on others more directly affecting our private happiness, that his superiority is universally acknowledged, and his power universally felt.

A moment's reflection upon the design of public disputations, will convince us that it is not to be accomplished without preparation or by any extemporaneous means. Yet the prevalence of a contrary opinion has caused many a society founded in enthusiasm, and flourishing through a disputation or two, to fall into neglect. A calm self-confidence, resulting from the knowledge of one's resources; a readiness and fluency of diction; an easy delivery; an aptness in handling the offensive and defensive weapons of logical warfare; these are the acquisitions and graces to be attained. They are acquisitions of no mean value in the formation and composition of the finished speaker. They are not certainly all his accomplishments; but they are those which give effect and brilliancy to

all the rest. The sound judgment, the capacious intellect, the apt discrimination, the correct taste, may exist separately or combined in one whom for those qualities we shall greatly admire; but if he be defective in the graces of which I speak, all these estimable characteristics, will not save him, as a speaker, from the mortification of addressing unwilling listeners, and in the end of having no listeners to address. We know signal instances of this amongst those whose genius and acquirements, as displayed in their written productions, have commanded universal homage. The graces of *active* eloquence, if it may be so termed, were not theirs; however much the eloquence of the closet might distinguish them.

Isacus, Lysias and Isocrates composed beautiful and chaste orations; replete with all the qualities which give to written productions the character of eloquence; but from want of self-confidence, from weakness of voice, or from some other defect which they had not the patience and courage to overcome, they never pronounced them. Had they acquired the accomplishments of the Forum, it is not improbable that they would have divided with Demosthenes and Cicero the favor of their contemporaries and the applauses of posterity. These two wonderful men labored under as great natural disadvantages as either of the others; and although equally skilled with them in all the arts and attractions of written eloquence, their ambition to shine as public characters prompted them to singular exertions in contending with their natural defects. The consequence was that they not only outshone their quiet masters, but outstripped all the world beside.

One of the master orators of modern times, if his published orations form a fair criterion of his merit, was Edmund Burke; but never, it is said, was a distinguished man more unhappy in the public delivery of his brilliant productions. His rising to speak is reported on many occasions to have had a magical effect in thinning the House of Commons; and to read his fine orations as they issued from the press, was thought to be far more delightful than to listen to them as they were drawled

from the tedious lips of the orator. He knew the force of words; but he wanted the arts of declamation.

These instances are noted to evidence the necessity of acquiring the attractive graces of which I speak, not only if one desires to shine, but if he desires to be tolerated. To *shine* is not the worthiest object of ambition; and so far as the humble exercises of the debating room are concerned, by no means the chief one. There it is sufficient, in the first place, substantially to improve one's self; in the next, to interest, if not to instruct, others. The effusions of the moment will accomplish neither of these things, nor any thing else that is truly desirable. If the study of years will hardly make an orator, as the ancients understood this comprehensive name; much less will the preparation of a day make a tolerable speaker, as we nowadays seem by our neglecting even that to imagine.

"To feel your subject thoroughly, and to speak without fear," says Goldsmith in one of the papers of the *Bee*, "are the only rules of eloquence, properly so called, which I can offer." Whether the only ones or not, it must be confessed they are of the greatest importance. But how can one feel a subject thoroughly which he has not thoroughly investigated; or speak without fear, when he is uncertain of his ground? They are, in truth, rules which imply a complete preparation, for without that they can never be practised upon.

There is a most false and unworthy objection urged by many against this idea of preparation, that it indicates a want of genius and ability. It might more truly be said, that a *neglect* of it betokens an egregious want of respect to those whom one desires to be the auditors of his efforts. The crude half-formed notions which we give utterance to on the impulse of the moment, are not usually of sufficient worth either to do credit to ourselves or to advantage others. They may be amused to laughter with our extemporaneous folly, but they can hardly be enlightened by our extemporaneous wisdom. On a dry, abstract question that warms no passion and excites no feeling, it is not to be wondered at that one's thoughts

are dull and his emotions languid. A little study and reflection will enliven both; rendering what would otherwise be insipid, at least agreeable, and probably persuasive. A neglect of these is too much the vice of modern times. How often do we see men, whom we know to be capable of better things, injuring their own fame and doing injustice to mankind, by neglecting the preparatory labor which Providence compels man to undergo if he would achieve anything that is valuable, or worthy of remembrance and duration!

It is deserving the attention of all those who set so great a value upon what they are pleased to call *ready genius* that the most famous orators in all ages have been those who were most diligent in the preparation not only of the matter, but of the arrangement and style of their orations. Demosthenes and Cicero composed theirs with the greatest care and study; pondering not only every thought, but every syllable; and in those times an extemporaneous reply that would not discredit the fame of such great men, was thought to be the divinest reach of eloquence, and not to be attained by ordinary exertions. "The faculty of speaking on a sudden question with unpremeditated eloquence," says Quintilian, "is the reward of study and diligent application."

But even with those distinguished men (for modern days can boast of such) who did not undergo the labor of a precomposition of every period in their speeches, but trusted to the impulse and excitement of the moment for a happy and fluent style of declamation, we know it was their custom to precompose such bursts of passion as they designed to be peculiarly effective and felicitous. It is recorded of Sheridan that it was his habit to write out in the retirement of his study, those frequent appeals to the feelings of his auditors, which stamp him as a man capable of the highest flights of eloquence. Burke undoubtedly did more; for while Sheridan has left to posterity no authentic record of a complete oration, we have many of Burke's prepared by his own hand, with all that cautious labor which distinguishes a man who is anxious to stand well with what Lord Bacon calls "the succeeding times."

He copied after the models of antiquity; and they who profess to be dissatisfied with the amplification and diffuseness of his orations, and the labored polish of their style, cannot sincerely admire the greater diffuseness and amplification of Cicero, or the more labored strength of Demosthenes.

They who fancy, from the apparent ease which marks the efforts of famous men, that it is rather natural than factitious, wretchedly mistake the conditions on which enduring fame and greatness are acquired. "Nothing is given to mortals without indefatigable labor." As the luxurious enjoyment of wealth cannot be indulged in, until wealth is first laboriously accumulated; so the gratifications of success and renown in any path of human ambition, are the fruits of many a painful step in reaching the eminence on which alone those gratifications flourish. The rules and qualifications which Cicero enumerates as essential to be observed and acquired by him who would aspire to the distinction of a "complete orator," may be ridiculed by the half made speaker of more modern days; but they have formed at least one who has always ranked as a confessed model of oratorical excellence. His life was a life of study and diligence; rewarded not only with the confidence and applauses of his own countrymen, but with the reverence of posterity.

There is a kind of eloquence which is rather the offspring of strong excitement than of deliberation; but the occasions which give it birth are as extraordinary as the style is sublime. They are not such as professional men are apt to be blessed with, or as occur in times of quietness to any. It is equally the eloquence of savage and civilized life; struck out by the violent collisions which are often the precursors, and always the accompaniments of great revolutions. Such was the style of Henry: a man whose genius no ordinary events would have aroused from its slumbers; who, with little to rely upon but the inborn vigor of his intellect, "thundered forth", as was said of Cicero, "his immortal energy" at a time when the world was an admiring spectator of the infant struggles of American liberty. Such also but more cultivated was the

style of Grattan; whose warm and manly passions were excited into a flame by the corruptions and wrongs that disgraced his native country.—On such occasions, a man of ardent temperament, of strong intellectual powers, of fervid imagination, of fluent speech, may safely trust to the inspiration of a sudden enthusiasm. But such examples are not the safe guides for us. Our oratory, if it is worthy of that noble name, is necessarily of a more quiet and calmer kind; of which *deliberativeness* is the chief characteristic. We cannot elevate our feelings into the glow of enthusiasm, without first lashing ourselves into a sort of factitious warmth and fury; a discipline which needs to be administered with taste and caution if one would avoid rendering himself ridiculous. The themes of the debating room are commonly of that cold character which demands an equal coolness of mind and temper in handling them; and although this consideration may clip the wings that would otherwise soar to more exalted flights, it will yet lead to the acquisition of that more useful style which better accords with the *practical* temper of the times; yielding perhaps more substantial benefits, if it does not excite such vociferous acclamations.

This, owing perhaps to the somewhat phlegmatic temperament of ourselves and our kinsmen of the mother country, and to a greater diffusion of intelligence, is the prevailing characteristic of the best speakers of the English and American schools. It is an eloquence addressed less to the feelings, than the reason of men; in truth, mainly to the reason; adapted to the forms of legislation, and to the common routine of civil business as practised in the present age. It is the kind of oratory which should take the precedence of all others in the exercises of disputation; for oratory has its fashions, which must be conformed to by those who would be applauded and successful. But the complete orator in this style must also practise with his weapons before he attempts to wield them with vigor and activity, that he may come into the arena of debate with all his armor of logic and oratory tried on and completely fitted. His accomplishments must be as multi-

farious, although perhaps not quite so perfect in their respective kinds, considering the greater scope and perfection of human knowledge, as those which were deemed requisite in the finished orator of Greece and Rome. The graces of the one style are no less the graces of the other; to be acquired by the same sacrifice of time and the same intensity of application.

I trust that these reflections will not be considered as out of place when the importance of disputations as an object of this Association is reflected on, and that it is an object in which nevertheless the public seem to feel so little interest. The secret of this neglect lies almost entirely in the neglect of those who take a part in the discussions; in their want of preparation. A fine disputation is not only useful to those who engage in it, but attractive to others; but preparation is all essential to make it so. This is demanded and expected; perfection, however, is not. That is the result of long experience. It is in the debating room that we make the first awkward efforts with our youthful pinions to test their strength and learn the arts by which we may venture to soar aloft without encountering the danger of a wretched downfall.

Lectures on subjects of science and art,—philosophy, history, and morals,—form another object of this Association, not less worthy of encouragement, nor less tending to usefulness than those we have already considered. Their advantage consists in this: that they impart to those whose pursuits do not allow them leisure, or whose early education has not given them opportunity, to compass the whole variety of human knowledge, a condensed statement—an outline, sufficient for ordinary purposes—of what is useful to be known or may instruct while it amuses;—and also in this; that they recall to the memory of those who may heretofore have investigated particular branches of knowledge, that information which the ordinary engagements of business may have confused or obliterated. It is impossible, moreover, in the present advanced state of science and art to obtain a complete knowledge of any department of either, without directing to it the study of a life; but the primary elements, and the general

outlines of all, may be grasped by every one, and in no more attractive and instructive mode can they be presented to our minds than by the medium of popular lectures. There are some branches of knowledge also, and those of a very useful kind, with which the diligent study of never so many books can hardly make us familiar. These need to be illustrated by ocular view of their subjects, and by manual experiments. Such illustrations are always more striking than any which mere language can convey. Without them it is difficult to acquire any very accurate notions of the physical sciences—chemistry, botany, physiology, anatomy, mechanics. There are few branches of human knowledge, upon which every man who aspires to be enlightened should not possess information; but to study them in detail is beyond the leisure of most. Lectures present in a summary way whatever may be essential to those who do not make those branches a pursuit. If any one desires more than a well digested lecture imparts, the library will be his resort; where he may find such treatises as will enable him to pursue the topic of his inquiries with all the ardor and enthusiasm of an investigating mind.

Lectures, as an agreeable and effective mode of communicating information, are in general use in some countries, and have the preference there over the common methods of teaching. Some of the best published treatises on philosophy, law, medicine, history, rhetoric and morals, are but lectures delivered to classes in renowned institutions of learning, by professors of those particular sciences. But to say nothing of those who make it their profession, there are those in every community whose acquirements and leisure enable them to impart intellectual amusement and instruction; and such an institution as this is useful in bringing their abilities into profitable exercise. The usefulness, too, is reciprocal; divided between those who undertake the task, and those who listen to its results.

It is not always, however, that lectures excite interest and attract a willing audience. It does not speak well for the good sense or taste of a community when such is the case, nor

does it argue a very strong thirst for improvement, particularly when the only exaction made upon the auditors is the time spent in attendance. The liberality which throws open the lecture room to all, should be appreciated by all; and no more grateful testimonial of that appreciation can be displayed than a ready and general attendance of all whose avocations allow them the little leisure which is requisite. The efforts of the lecturer deserve at least so much encouragement; and in proportion as the public betray an interest in them will be his study to gratify it.

A devotion to business so ardent that it does not allow us to cultivate our minds beyond the actual necessities of our callings, is somewhat characteristic of the American people. With more of what is styled *general information*, we have less ambition, and seem to have less leisure, to become *learned*, than almost any other people. We all acquire in youth the elemental knowledge that fits us to discharge the duties of our several vocations; but, those vocations once entered upon, we are apt to suffer them to engross our undivided attention. Business is the universal apology for every neglect. But, says a great authority, "the most active or busy man, that hath been or can be, hath, no question, many vacant times of leisure, while he expecteth the tides and returns of business" —"and then the question is but, how those spaces and times of leisure shall be filled and spent; whether in pleasures or in studies."—The lecture room is one of those retreats from our daily pursuits which may be agreeably and advantageously resorted to. It is open to all classes; but those who, one would suppose, might enjoy it the most, and derive the most advantage from it, are not the most forward to occupy it. More especially should those who have enrolled themselves as members of such a society devote their attention to its exercises; and show that they at least are zealous in behalf of the objects for which they are associated.

On occasions when citizens elevated to high rank for their professional ability, or favorably known for their literary taste and extensive reading, have complied with urgent

solicitations to prepare themselves for the task of imparting their information, how often have we beheld the seats of the lecture room almost vacant! It is desirable that a different disposition should be cultivated; and that the influential of all pursuits should set an example that will be felt and followed in a matter so directly tending to the substantial advantage of the community. Let the merchant remember for himself and those in his employment, the literary renown of Italy in the 15th century, and that it was owing to the taste and encouragement of a family of Florentine merchants, whose devotion to their business made them opulent without depriving them of the studious leisure which made them literary. Let the mechanic and the artisan call to mind an illustrious philosopher of our own country, who not only verified by his industry the truth of Solomon's aphorism, "Seest thou a man diligent in his business?—he shall stand before kings"—but who found leisure to make some of the most brilliant discoveries of modern times, without infringing upon his mechanical pursuits. And let them be incited by the example of a living artisan in a neighboring State, who to this day performs his daily task at the forge, and yet has found leisure to acquire a knowledge of more than fifty languages; and whose thirst for information has induced him to leave the village of his birth, in order that he may enjoy the advantages elsewhere of an institution similar in its character to this.

"To pass our time in the study of the sciences," says Lord Brougham, "in learning what others have discovered, and in extending the bounds of human knowledge, has, in all ages, been reckoned the most dignified and happy of human occupations; and the name of Philosopher, or Lover of Wisdom, is given to those who lead such a life. But it is by no means necessary that a man should do nothing else than study known truths, and explore new, in order to earn this high title. Some of the greatest philosophers, in all ages, have been engaged in the pursuits of active life; and an assiduous devotion of the bulk of our time to the work which our condition requires, is an important duty, and indicates the possession of practical wisdom. This, however, does by no means

hinder us from applying the rest of our time, beside what nature requires for meals and rest, to the study of science; and he who, in whatever station his lot may be cast, works his day's work, and improves his mind in the evening, as well as he who, placed above such necessity, prefers the refined and elevating pleasures of knowledge to the low gratification of the senses, richly deserves the name of a True Philosopher."

Such philosophers may we all be—and to encourage and satisfy a taste for such philosophy is the great object of this and kindred institutions. The public, whom they are designed to serve, are deeply interested in their success; and surely it is not unreasonable to expect that the reciprocal duties of the public will be cheerfully rendered.

In addition to the general motives which I have endeavored to present, that should secure substantial encouragement to the efforts and objects of this Association, there are particular ones that might be addressed to our pride as citizens of "no mean city." A successful pursuit of business is not all that gives a desirable character to a community. The inquisitive stranger as he passes along and observes the order, the neatness, and the comfort of our dwellings, the pleasantness of our position, and the bustle of our population, perceives at once the surest evidence of our prosperity; "but," he naturally enquires, "what are the amusements of your hours of relaxation?" We should be able to point to a literary society which may gratify our pride while it ministers to our intellectual cultivation; not languishing for want of liberality,—its reading room deserted, its library closed, its disputations and its lectures neglected; but an institution which calls into play the talents and acquirements that undoubtedly exist among us, giving not only opportunity, but encouragement, to their exercise. It is thus that we may make the pleasures of knowledge tributary to the enlightened enjoyment of that situation which successful labor has rendered prosperous; and it is thus that in our day and generation we may contribute to the advancement of a right public taste, and leave the world the better for our having lived in it.

CORPORATIONS AND PARTNERSHIPS.

WRITTEN PRIOR TO THE PASSAGE OF THE GENERAL LAWS
FOR THE CREATION OF MANUFACTURING
AND OTHER CORPORATIONS.

THE prevalent disposition which exists to place associations for gainful purposes under the protection of corporate privileges, has awakened the public attention to the kind and degree of pecuniary liability which should legally attach to the persons composing them. On the one hand, it is insisted that their accountability should be limited to their several interests in the joint property of the association; and on the other, that it should extend, like that of copartnership, to the several estates of the associates. Between these extremes, there are those who maintain, that while the joint property should be held responsible, the several associates should also be accountable to an amount equal, or bearing some other arbitrary ratio, to their several shares in the common stock. It is a question, in effect, between the long established immunities of corporations, and the still longer established liabilities of copartnership.

To gain wealth, and at the same time avoid the hazard of losing wealth, is the double object of those who combine in enterprises of trade or business. The history of such enterprises shows that those which are tolerably certain of profitable returns, are entered upon with alacrity, and with no great unwillingness to risk all the responsibility of failure; while those which are of doubtful success are assumed with reluctance, and not without a strong disposition to shake off the hazards. Supposing both sorts to require associated means

for their prosecution, the first are the subjects of ordinary co-partnership, with all its accountability; the second seek the interposition of government to diminish their liabilities, on the ground of some direct or consequential public benefit to be derived from their successful prosecution.

This interposition of government is usually extended by means of charters of incorporation; a perversion of the original design of corporations which is of questionable wisdom. They were not devised to promote doubtful enterprises; but for municipal, literary, or charitable objects. Possessing, however, some obvious advantages over partnerships, they gradually became favorite organizations for carrying on undertakings requiring concentration of wealth and facility in employing it. In this country, particularly, they have become so popular, that a great portion of the business of legislation consists in framing special charters or general acts authorizing their formation, until a great variety of business is now protected, by a legislative shield, from some of the most serious responsibilities which would otherwise attach to it.

Associated capital is unquestionably necessary to carry on not only all vast undertakings, but many of those of a more limited nature. It is as deserving of legislative favor when employed by an obscure partnership, as by a titled corporation. There is, probably, more associated wealth, in the aggregate, employed in the business of partnerships, than in that of corporations; and yet it is exposed to greater risks and enjoys fewer immunities. The policy of this legal partiality deserves to be investigated.

If *two* persons combine their capital for the manufacture of cotton, there seems to be no good reason why they should not legally have the same privileges and exemptions which are allowed to a *hundred* engaged in the same pursuit. But the laws of this State make a wide distinction, and hold the *two* to liabilities from which they exempt the *hundred*. Thus, instead of shielding weakness, they thicken the panoply of strength.

By associating under certain legal formalities, a dozen

capitalists may form a corporation to make woollen cloths, and evade all responsibility for their undertaking beyond that of sacrificing their investment, and as much more besides. The same men, if they desire to unite their means to construct steamboats for the conveyance of passengers or cargoes, are obliged to form a partnership, and answer, with their whole fortunes, for the good conduct of the elements and the success of their adventure. Thus the same cloth which passes through the looms of the *corporation* with so little comparative risk, is conveyed to its market, over waves and through tempests, at the hazard of all the wealth, joint and several, of the *partnership*.

Why, if these men deserve immunities for the first undertaking, should they not be equally privileged in the last?

If the *amount of capital* be regarded, the forwarding enterprise is, perhaps, the most considerable; but, even if it be the least so, to gauge immunities by the measure of capital, is indirectly to affirm that the wealthiest should be the most thickly hedged about with privileges.

If it be urged that the capital employed is a *joint contribution for a special purpose*, and therefore deserves protection, the reason applies equally to both.

If the object to be attained by the *corporation* be of peculiar *public benefit*, that may be a good reason why the government should undertake it, and not leave any portion of its risks to oppress individuals.

If it be of *public benefit incidentally*, and of *private profit directly*, then the same government which grants the immunities, should share the gains. At least, it should reflect that the manufacture of the *corporation* is of no use until it be conveyed by the *partnership* to the hands of the consumer, and should therefore bestow equal encouragements upon the transportation and the manufacture.

Reasons like those just stated and met, are those most commonly advanced in favor of corporations (instituted for gainful purposes). But all trades and arts are useful in their degree. None can be pursued without means, nor without

danger of failure, or a possible liability. If we protect one, we are bound to protect another, or incur the odium of partial legislation.

In every case of bankruptcy, whether of a corporate body, a partnership, or a private person, a loss must be suffered by some one. It is right that it should fall on those only by whose fault or misfortune it happens, and especially when they only would reap the benefits of success. There is obviously no justice in any arrangement by which it shall fall elsewhere. But just in the same proportion as those who are concerned in causing it are permitted to escape its consequences, in the same proportion do others, not so concerned, become involved in them.

As a general rule, every man is answerable for his own undertakings; and until his property is exhausted, he cannot escape from the responsibility. So every partnership is answerable; and when its common stock is spent, the private means of each partner must contribute equally to the payment of the joint indebtedness: if that contribution be still insufficient, then the longest purse must make up the deficiency. So a government also is answerable; and when its treasury is exhausted, the whole property of all the citizens is taxable to the last penny to replenish it, in fulfillment of its engagements. When, however, a body corporate of less dignity than a government is concerned, a mere creature of that government, the aspect of the case is changed. Up to a certain limit, its accountability is enforced; beyond that, we discover that most intolerable sort of repudiation,—a refusal to pay, when the means of the individual associates are still sufficient to meet its obligations.

In defence of this, it is urged that a corporation has a definite capital, and is known to the public to have a limited liability: that all who deal with it, do so upon an exact measure of its means: that its members undertake to be answerable for so much and no more: that they have contributed out of their private means a given amount to share the risks of the enterprise, on a definite and notorious understanding

that that is all they mean to embark in it: and that if the principle of a *limited partnership*, as recognized by law, is at all maintainable, it is maintainable to the extent of justifying the immunities of corporations, which, as regards liability, may be deemed *limited partnerships*.

These plausible positions apply, most of them, with the same force to individuals and to general partnerships, as to corporations. Why should a *body corporate*, more than an *individual*, be authorized to limit its liability to the precise amount invested in any undertaking? Why should not a *partnership* be permitted to advertise the public of the amount of stock embarked in its business, and be exempt from any responsibility beyond that, as well as a *corporation*? All may be engaged in pursuits of equal merit, requiring equal capital, and exposed to equal hazards. To assign a substantial reason for the inequality of their respective risks and immunities, will task the most ingenious mind.

The loss of only the common property of a body corporate, and the total loss of the joint and several property of a partnership, in case of bankruptcy, are the two extremes of legal liability. The difficulty of adopting any intermediate standard is insuperable; for there is no medium which is based upon a simple principle that arrests and fixes the mind in a satisfactory conclusion. The law of 1811 makes an arbitrary compromise, which sacrifices both extremes. The principle that measures corporate liability by corporate property, has the merit of distinctness and of preserving a legal identity; the principle of partnership liability has a like merit. Each is easily apprehended and definable. But a half-way combination of the two is anomalous, and makes the stockholder a partner with only half the accountability of one, and a partner a stockholder with more than the accountability of one, without satisfying either principle.

It is difficult to decide on what ground of justice or reason it has been determined that the liability of the stockholder in a manufacturing corporation shall be his share of the capital stock, and as much again, rather than twice or thrice

as much again, or only half as much again; why it is not the whole, as well as any fractional part, of what he has left after losing his stock. This hybrid sort of liability, neither wholly exempts him as a private person, nor wholly secures the creditor; and it satisfies neither. It is a shift to divide the risks of failure with the community, without at the same time dividing the gains of success. It is a sort of premium allowed by government upon some preferred undertakings, which, however meritorious, are no more so than some other undertakings which are suffered to struggle against more imminent hazards than those of simple partnership accountability.

There are, for example, associations of persons engaged in the business of conveying freight and passengers on our lakes, navigable rivers and canals, exposed not only to the sweeping liabilities of copartnership, but to the dangers of the elements, and the vast responsibilities of common carriers. The capital invested by some of these companies in costly vessels, which a tempest may sink with all their valuable cargoes, is larger than that of most of our interior banks, or of any of our manufacturing corporations. The importance to the community of the intercommunication which is carried on by their means, is not inferior, in any view, to that of the results produced by cotton and woolen mills. For a quarter of a century, in the face of all the disadvantages attending the prosecution of affairs by large associations of men under the existing laws of copartnership, these companies have pursued their business, no less profitably to themselves than to the public. Liable at any moment, perhaps in the season of business, or in the actual performance of some contract or undertaking, to be dissolved by the death or legal incapacity of an associate; exposed to be harassed by legal proceedings, expensive and dilatory in proportion to the number of partners; without a common name that the law recognizes, or any legal symbol to evidence their joint acts; holding their property subject to all the chances of a division or partition which an unexpected death may occasion, to the breaking up and perhaps the sacrifice of their venture: such are some of the disabilities

with which they contend, and which the partiality of the laws has removed out of the path of their more favored fellow citizens who are engaged in manufactures. In spite of these, however, they thrive. Seeking no exemption from the rigorous law which makes them answerable to the community, not only for their own mismanagement, imprudence, or extravagance, but for perils that human foresight can neither anticipate nor prevent; there are yet some formal obligations imposed on them from which they might reasonably demand to be released, and some harmless facilities in the transaction of business withheld from them with which they might wisely be endowed. These conceded, they would be corporations in all the useful and worthy characteristics of corporations, and still remain partnerships in all the wholesome and responsible characteristics of partnerships.

But no consideration can properly be claimed for such associations as these, to which those of less magnitude are not, in the eye of equal legislation, as justly entitled. They have been referred to merely as a forcible illustration of the extreme inequity of existing laws; which would confer on the same property and the same men, if engaged in some manufacturing enterprise, facilities and immunities they do not now enjoy, when prosecuting a business of at least equal social importance, and of much greater risk.

A limited partnership, as allowed by law, is an anomalous compound of corporation and copartnership, of a different sort from the anomaly created by the law of 1811. One partner has a limited, the other a general liability. The limited liability depends not more upon the amount contributed, than upon a precise and technical compliance with arbitrary legal formalities, a deviation from which, in the least degree, is held to expose the limited partner to the general risk. But pure corporate liability is uniform: it is in no wise connected with a general partnership liability. It has the merit of simplicity; of standing upon one plain principle, right or wrong, that the joint property is all that gives it credit, and all that can be sacrificed. Any more comprehen-

sive liability than this, embraces, to the extent of it, the principle of copartnership, limited or general; involves, to the same extent, a departure from the corporate principle; and amounts to an acknowledgment of the defects of corporations as responsible organizations for the prosecution of active business; an acknowledgment which, if investigated, will be found to concede all that is contended for by those who maintain the principle of personal liability for joint debts.

But this is not the only acknowledgment of it. The law of 1811 is a forcible admission that mere corporate liability is impolitic and unsafe; and it therefore attempts to engraft upon it a confined personal liability, less than that of general, and more than that of limited copartnership. The new Constitution of this State concedes the whole ground assumed by the advocates of unlimited responsibility, by requiring that "dues from corporations shall be secured by such *individual liabilities* of the corporators, and *other means* as may be prescribed by law." What the law may prescribe is not yet ascertained; but that dues shall be *secured* is positively provided for, and that *individual liabilities* are the principal security to be prescribed is obvious. The "other means" are supplementary: they come in aid of the *individual liability*: they are, as it were, collateral to the main security. Any legislation which shall make individual liabilities *secondary*, and "other means" *primary*, as the constitutional security for dues from corporations, will be a miserable evasion of legislative duty, and a fraud upon the sovereign will of the people. Next to the capital, *individual liabilities* must first become the guaranty.

Whether the liability of a corporation be purely corporate, or a mixed liability of corporate and individual estates, is a matter of little practical moment, except in case of bankruptcy. It is then that the interests of the stockholders and of the creditors come into conflict, and while the first are anxious to shun, the last are earnest to enforce, the personal consequences. The kind and degree of liability is then a matter of great moment; and if it be corporate only, the public, without the chance of being gainers in case of success,

are the chief sufferers in the event of misfortune. There is a division of the burthens of adversity, but none of the gains of prosperity. Every person in the community would be willing to undertake any enterprise of ordinary risk on such favorable terms.

There is great force in a remark of the late Chief Justice Parker, the weight of whose character will give currency to an opinion, where that of an obscure man might be ill received. Speaking of manufacturing corporations, "the interest of the community," he says, "seems to require that the individuals whose property, thus put into a common mass, enables them to obtain credit universally, should not shelter themselves from a responsibility to which they would be liable as members of a private association." This interest of the community is equally deserving of the regard of legislators, as of judges. It may be advanced by conferring on private associations certain privileges now accorded only to corporations; but a diminution of individual liability is not one of them. Too much has already been conceded in this respect, and the probability is that more will be, unless deliberation and wisdom, and a right appreciation of constitutional provisions, assume the place of popular feeling in our legislative bodies. Private associations will gladly do all that corporations can, without seeking a shelter from copartnership accountability, if they are only endowed with those privileges of corporations that excite no question, and are void of all suspicion of danger. Men of small, as well as of large means, will, for they do now, assume the hazards of partnership enterprises: all they ask is that they may be allowed the same facilities that corporations have for conducting them. Give them the use of a common name; the power to witness their associate acts by a common symbol; and the enjoyment of their common property without the accidental interruptions to which the strict rules of the common law expose them; but still hold them to the widest responsibilities of copartnership; and they will soon dispel all the theories that have warped legislation to the extravagant concession of corporate rights in diminution of the rights of

the community. The fear of loss does not deter, so much as the hope of gain stimulates; and men of small means, as daily experience shows, are as numerously embarked in the unlimited hazards of private associations, as in the restricted ones of incorporated companies. Where the wealthy are willing to peril great, the humble will venture small fortunes. Confidence in those who control an enterprise, and who are to be sacrificed by its wreck, is a stronger attraction than exemption from its apprehended dangers; and those who judge wisely are confident that their interests are more securely guarded by those who are vitally concerned in the joint success, than by those who will hardly feel the loss of their share of the venture. When the whole fortunes of men are at stake, it is the strongest of all guaranties for prudence and caution in the management of affairs; and where the total bankruptcy of all interested may follow mismanagement, there is the best assurance that every eye will be watchful and foreseeing. Accordingly, the care exercised in selecting agents, in anticipating and warding off untoward contingencies, in avoiding debts, and in the practice of economical and plain modes of transacting affairs, is no where more conspicuous than among those private companies which have no shelter in the sympathies of legislation, but which are exposed to all the rigors of individual liability.

The conclusion is that true policy, as well as equal legislation, requires that corporations which are engaged in the prosecution of the various branches of manufacture, trade, or art, or other pursuit of gain, should have no greater immunities than private associations engaged in the same pursuits, and that private associations for such and kindred purposes should be legally endowed with some of the privileges of corporations. As there is an identity of objects, there should be an identity of organization to promote them. Legislation would be more profitably employed in modifying some of the inconvenient rules of the common law which shackle partnerships, than in seeking after some standard of easy liability for corporations, which in proportion as it varies from that of

copartnership will be unsafe and unconstitutional, and which cannot be otherwise than arbitrary.

In brief, let partners, by some public act, assume a name which shall be of legal consequence, adopt a symbol to attest their joint acts, and, during the term stipulated in their articles of association, be free from the legal interruptions caused by death or incapacity, and they will be found to subserve all the purposes of corporations in all those enterprises of trade, manufacture, art, or commerce which corporations have ever been allowed to undertake.

AN ORATION DELIVERED AT FAXTON HALL,
MARCH 12, 1869.

TRAINED LABOR.

THE Garden of Eden, as Scripture tells us, was adapted, in all respects, for the support, comfort and pleasure of man in his state of innocence.

There was then no labor, nor any necessity for it. The trimming and dressing of the garden was a pastime,—“sweet gardening labor,” as Milton calls it. Everything to meet his wants was ready to man’s hand; and his wants were really nothing but mere sustenance of the body, to be plucked at pleasure. There was no sort of provision for clothing, which has since become such a portentous extravagance. The woman, who was provided for his helpmeet and companion, introduced this wonderful addition to his positive needs; and somehow she manages to this day, notwithstanding her superior economy and thrift in household matters, to make it a smart burden; for which man, to tell the whole truth, by his propensity for admiring that artificial attraction, is considerably responsible. It will occur, however, to an inductive and philosophizing mind, that here is the ultimate cause and prime origin of needles, spinning-wheels, and looms, of cotton and woolen mills, and all the other numerous contrivances which produce the existing boundless substitutes for the fig leaves and the coats of skins that were the primeval habiliments of our wicked and venerated progenitors.

After the necessity or the fashion of clothing, came labor,—a further inheritance from our first parents, who had abundant chance for living without it; but the same disobedience which

made them ashamed of themselves, also reduced them to the necessity of getting a living by the sweat of the brow. This has ever since been not only a necessity, but happily a disguised blessing, for all their posterity. "This labor and sweat of our brows," says Bishop Jeremy Taylor, "is so far from being a curse, that without it, our very bread would not be so great a blessing. Is it not labor that makes the garlic and the pulse, the sycamore and the cresses, to be savory and pleasant, as the flesh of the roebuck, or the milk of the kine? If it were not for labor, men neither could relish so pleasantly, nor sleep so soundly, nor be so healthy, nor so useful, so strong, nor so patient. And besides these advantages, the mercies of God have found out proper and natural remedies for labor;—nights to cure the sweat of the day—sleep to ease our watchfulness—rest to alleviate our burdens—and days of religion to procure our rest; and things are so ordered that labor is become a duty, and is therefore necessary; not only because we need it for making provisions for our life, but even to ease the labor of our rest; there being no greater tediousness of spirit in the world, than want of employment, and an inactive life." The poet Thomson turns the idea somewhat differently:

"O mortal man, who livest here by toil,
Do not complain of this thy hard estate;
That, like an emmet, those must ever moil,
Is a sad sentence of an ancient date,
And, certes, there is for it reason great;
For though sometimes it makes thee weep and wail,
And curse thy star, and early drudge and late,
Withouten that, would come an heavier bale,
Loose life, unruly passions, and diseases pale."

Admitting, then, the unavoidable necessity of labor, whether for good or for evil, what I propose to reflect upon, is the fact that much of the labor of the world, and particularly of this part of the world, is wasted for want of knowing how to use and apply it thriftily and wisely. No one man, any-

where, in any civilized condition, can perform all the labor of life by himself. It must be divided and appropriated. The first and only man might live on the fruits of the garden; but when men multiplied, and the garden was closed against them, and the whole earth was cursed with thorns and thistles, instead of yielding only what was pleasant to the sight and good for food, then their fate was to root out the thorns and thistles, to delve the earth, and to tend herds and flocks. Cain, therefore, was first a tiller of the ground before he invented murder; and then, as Cowley expresses it, "he quitted that profession, and turned a builder"; and as he built the first city, it is not to be wondered at that cities should, to this day, be noted for wickedness and all crimes of violence. Abel was a shepherd. Then came Jabal, the herdsman, and Jubal with his musical instruments to soothe and enliven labor, and Tubal Cain, the instructor of all artificers in brass and iron; his pupils being the first apprentices known in history. Then with Noah, whose labor was husbandry, came the vineyard, with its mingled curses and blessings; the curses possibly preponderant, as if to show that the ease and luxury which follow labor, if unduly indulged, are a greater misery than labor itself.

In every state of life, then, labor is the prime indispensable necessity. Without it, we cannot supply any need. With it, properly applied, we can not only supply all needs, but also all luxury and superfluity. The question is how to apply it properly.

Rude and unskillful labor is a great waste of time and application, and is therefore extravagant. A thing that can be well done in a minute, is in an important sense ill done if it consume an hour. It may be finally done as perfectly, perhaps; but in many performances, the ultimate perfection of the work does not compensate for the waste of time in doing it. A woman may accomplish nicer work with her fingers than she can with a sewing machine; but for many common purposes she loses in time what she gains in perfection; for it is not in everything that absolute perfection is a

necessity, and in much of the constant duty she has to perform, the economy of time will be more than an equivalent for the slight defect of the performance. Still, it is always a great advantage to her to be trained to accomplish better work manually than her machine can do vicariously, and her own skill will make the machine work all the better. The very training by which she has acquired perfection is of the highest value, both as giving her an independent alternative, and as giving her a positive superiority in what she can do well, and the machine does ill, or is unable or too perverse and crotchety, to do at all.

A like remark might apply to much other work which machinery aids us in doing, but lacks the mind, the flexibility, the aptness, to do with the neatness and finish that trained human skill can accomplish. But to use machinery requires training. Nothing else will enable one to understand its mysteries, to comprehend its movements, to detect its defects, to adjust its parts, to control its working. It demands no less skill than mere handiwork, but it is a different kind of skill. For uniformity, for the power of exact duplication and copy, for equality of product, for some complex and huge performances beyond the strength or the dexterity of human muscles and hands, as well as for the speed and economy of work, machinery has the superiority over man; but it depends on man's brains to invent and guide it, just as much as man himself depends on a higher and supremely intelligent Being for the power to do both.

There is no art or sphere of toil so insignificant or so circumscribed, as to preclude the need of training; and it so happens that any that is useful or necessary is also respectable in itself. It may be monotonous, unpretending, and without special attractions; or it may promise some distinction, as well as livelihood or wealth. But certain it is, that however humble or however exalted, there is no calling or pursuit of the least necessity, which one man or another is not provided or meant to perform. No niche in life is long vacant. Every one must be filled by some person adapted to it; and it hap-

pens that mankind is so constituted, that the mass of men are better fitted for the drudgeries of physical labor, than for those which demand superiority of mental gifts. Providence never intended that man should live by his wits without work; and those who pretend to have a miserable existence,—it can hardly be called life, but rather a poor shift to live.

The secret of the best human work is thorough training,—apprenticeship: yet how little do we see of that in this country! “Young America” seems to scorn anything like regular persevering apprenticeship as an unbecoming slavery, even in those branches of industry which owe all their excellence and perfection to training and experience. It is true enough that in a new country there must be much rough work and off-hand contrivance and shifts, which tax ingenuity and sharpen the inventive faculties; but as a people multiply and refine they look for finish and completeness in the same things that, roughly done, answered mere necessity tolerably before. These, however,—finish and completeness,—are the very qualities that result from training and apprenticeship, and make it so desirable. There is a sleight of hand acquired by use, and particularly by early use, when the physical powers are most adaptable and docile, that all the wit and ingenuity in the world cannot compass. It was this sleight of hand that a century or two ago enabled five Frenchmen to make one ream of paper more a day than five Englishmen could make, and so command the market. There is also a sleight of mind highly useful in the learned professions, (nowadays so rarely learned,) which is no spontaneous gift of nature or genius, but the slow acquisition of study and experience. There are useful knacks, turns, niceties, and traditional modes and mysteries in all manual and mechanical, as well as in some more aspiring arts, that cannot be acquired by reading or observation simply. The best men in all trades, handicrafts, and professions, are those who are the most thoroughly drilled and practised in their work; and, as a general thing, they are those who began earliest to fit themselves to it, and have longest persevered in it. A shifting, vacillating, occasional, fitful

application to something, with a constant tendency to try the hand at everything, will never make a skillful man in anything. A Yankee is generally reputed to be a jack-of-all-trades; and if any man could ever falsify the proverb usually coupled with that appellation and master so much multifariousness, it is likely that a Yankee might. But it is impossible. Whatever can be done by quickness of apprehension, by seeing deep into millstones, by comprehending the purpose to be achieved, and by extemporaneous rough modes of doing it, a Yankee may be trusted to do. But he is likely to botch it; to do it simply to serve the present turn; and then, in his own expressive phrase, to let it *slide*. He is the man for an exigency; a man to meet the moment; with a shrewd foresight of what that moment may lead to if followed by efforts which he does not himself propose to make, because he has already cast his mind upon some new project, and has not time enough for all. Such, at least, is his reputed characteristic, which time will modify, and is already perceptibly modifying.

A trained man in any pursuit labors with greater economy of time, as well as with superior skill, than one untrained or half-trained. His work is a greater pleasure to him, not only for the ease with which he performs it, but for the result of the performance. He is conscious that, without anxious care or undue apprehension of errors, what he is engaged in will go trimly and evenly along, and he can therefore enjoy his work; smoothing the wrinkled brow of labor with the solace of doing it easily and well. It is a great triumph when every day's task slips off without mishaps owing to want of aptness or to an imperfect and uncertain knowledge; defects for which the workman feels that he is himself to blame, by pretending to do in a shuffling, slighting way, what, he is conscious he is not adept in doing. Such a workman may well lament the neglect or indifference of his parents or guardians, or perhaps his own early wilfulness, that let his boyhood and youth pass away without the apprenticeship which he now sees would have fitted him for a comfortable, pleasant, and prosperous life.

Almost every boy feels that he can aspire to excellence in any thing without much drudgery, and is therefore reluctant to be trained to any particular branch of industry, at the very period when such training is the most serviceable. He prefers to leave it to his maturer years to decide the bent and calling of his life. A wise parent can generally decide for him pretty early what course of industry is best adapted to him; and he should exercise the same paternal authority or persuasion to incline him to it, that he would use in requiring or inducing him to learn his letters and get a good education. All boys are not fit for everything which they think they are fit for; yet most boys are fit for the common employments of business and trade, which will surely get them a living and a competency; and in a majority of cases, their parents or friends can decide for them better than they can decide for themselves, without going so far amiss as to do a very serious injury if they happen to decide wrong. I am not speaking of exceptional cases, which are much rarer than people, especially boys, are apt to imagine.

There are some great names in history generally noted as the synonyms of rare intellectual capacity, guided as if by inspiration. But to expect that every boy and girl born into the world at the rate of one an hour or one a minute, will be of that stamp, is to show our intense folly, and to presume on God's gifts, which are specially bestowed on only one or two such men in a century. It would puzzle you to name one for every hundred years since Adam's day. They are the marvels of mankind, and not its common stock. No: we of the common stock must content ourselves to remain on the common level,—we must serve apprenticeships; and if God designs any of us to rise above that, His purpose will be indicated by some unmistakable tokens.

The old practice of binding boys at fourteen or sixteen for a sufficient term of service or clerkship to make sure of adequate skill in any art, trade, handicraft, or profession was on the whole a wise one for the mass of the community to follow; and it is yet, with such modifications as may spring out of

improved modes of education, and a more widely diffused general knowledge which is earlier acquired now than then. But a specific training is as necessary now as it ever was. Both the body and mind must be inured by early practice, thoroughly performed, to fit the one for physical, the other for mental skill, in any department of human industry.

It is, I fear, a prevailing notion that apprenticeship applies only to the homelier and less attractive pursuits of life, and not to the professions and callings of a more pretentious sort; and that therefore to be an apprentice is an acknowledgment of inferiority of capacity, or a sacrifice of future station in life. But when apprenticeship was in full vigor, all the professions, as well as the trades and arts, had apprentices. Of the sons of the same family, one might be indentured to a tradesman or an artisan, one articulated to an attorney or to a doctor of medicine, one put in training for a clergyman, one apprenticed to the army or the navy. It was all apprenticeship, and a good long apprenticeship too. It was in every branch of art and industry a routine of daily service from about fourteen till about twenty-one, and even longer. It was always something earnest and thorough. It was drill, it was discipline, it was special education for some definite life-long pursuit. At any rate, it qualified most youths for that pursuit, so that they had it to start with, and to anchor by if they chose; and in most cases they could not follow it without producing evidence of their service as a voucher for their skill in it. Of course, some might find that they had mistaken their calling,—the round peg was in the square hole and the square peg in the round hole. Such occasional misfits are unavoidable; but they cast no slur upon the general principle and the general experience which vindicate the general usefulness and absolute general need of apprenticeship.

In a certain sense, all experience is apprenticeship; but much of it is so casual, irregular, and not in the way of system, that it does not fulfill the idea. Strict apprenticeship is a daily experience in a continuous course and gradation, with a

certain aim and end. This is its advantage. One who sees for the first time a performance or work of any kind easily and perfectly done by one who is skilled in it, is apt to fancy that it is of no great difficulty, and can be easily done by himself. Let him try, and he is quickly undeceived. He will say with Guildenstern, when Hamlet assured him that to play on the pipe was "as easy as lying"—"I have not the skill." A charlatan writing master will give you specimens of his dexterity touched off before your eyes, and aver that he can teach you to write in twelve easy lessons of an hour each,—about half-a-day for you to accomplish what he has been half his lifetime practising to acquire. When you have finished your course, you find that you cannot flourish a spread eagle, and that you are as much of a goose as the animal your quill was plucked from; and that your twelve easy lessons are but a sort of rude element of a long apprenticeship which may finally end in your writing so that you can read your own scrawl; a high achievement, even if nobody else can read it, which is a more common result. It takes a child with all the quickness, readiness of ear, nimbleness of tongue, and aptness to imitate, that is natural to infancy, three or four years to learn to talk pretty well; and yet you will find grown up people, with all their stiffness and slowness, expecting to learn a new language from some boasting professor in ten or twenty lessons; and when they are through with them, all they can say is "*Oui*" or "*Nein*." Now the most that can be acquired by these short cuts is some bare fundamental principles and rules which must be followed up and practised on with assiduity and earnest labor before you can attain any decent approach to perfection. Stout work and persistent application will do everything; all the looking on in the world, without putting to the hand, can do nothing. It seems easy to walk a tight rope, to turn a summersault, to cut a pigeon-wing, to climb a mast, to make a horse-shoe, to hem a handkerchief, to thread a needle. But who succeeds in any of these things on a first trial; in many of them, without frequent and persevering trials? Apprenticeship—the drill of practice—is the

spring of success in all, whether the useful, the ornamental, or the amusing; and a little disuse sets us back to recover our aptness. Gymnasts, jugglers, dancers, players, and musicians really undergo more strict and wearing apprenticeship than is usually devoted to the useful manual and mechanical arts and callings, and many of our daughters are hard worked apprentices to music who would not very willingly be apprentices to household mysteries. More pains and sweat are encountered by aspirants to excellence in the showy, ornamental, and entertaining arts than to the serviceable ones; and the standard of excellence is much higher and more exacting. We will put up with an inferior bit of cabinet work, an ill fitting garment, or almost any slight of common handicraft, much more patiently than we will listen to a poor fiddler, a wretched singer, or a bad actor; or will witness the clumsiness of an awkward gymnast, an uncouth dancer, or a blundering juggler. Here we demand perfection for our money; a perfection which is in all of them an acquisition by the severest, and in some of them by the most self-denying and the most dangerous, discipline. But we somehow tolerate with patience men who set up to be master builders and architects, who have never been instructed, except by primers, in the very elements of their assumed callings; and we employ them with the greatest confidence in their vaunted skill, because they have a knack of making some pretty pictures. We consult a quack doctor, who pretends to cure all diseases with a single nostrum; who neither knows the qualities of his medicine nor the peculiar character of our disease; but who has cured with it his own headache or his own indigestion, or has perhaps tried its efficacy upon his baby, his grandmother, or his cat; who all luckily escaped dying, in consequence likely, of the superior efficacy of what some such learned Theban calls "naturæpathy," which I suppose means that nature is better for conquering a disease than all the empirics in the world. We go to some lawyer to draw our conveyances or our wills, who cannot truly fill up a printed blank out of his own head and knowledge with any certainty that what he

puts in is right, and is only sure of the printed part because it is there; and in a great many cases out of ten, the part he puts in he knows nothing about after it is dry, because it is illegible by any mortal man, with the solitary exception possibly of a long-apprenticed and skillful compositor in a printing office, who is in duty bound to read anything that is written, legible or illegible. We follow after some self-constituted minister of religion, who tickles our ears with "words without knowledge"; who takes up the expounding of the Gospel and assumes to care for our souls from a conceit or an impulse; who has none of the wisdom and less of the humility taught by our great Master; who has never served any more of an apprenticeship to the high calling of a Christian teacher, than we ourselves have; nor can show any voucher of the inspiration which flashed upon the ignorant fishermen of Galilee a power of eloquence and example that the very best human training despairs to emulate. In short, we allow ourselves to be overrun by pettifoggers, quacks, and expounders;—lawyers without law, doctors without medicine, and ministers without theology; and I regret to add to such a shabby list, journeymen and masters without apprenticeship.

"Thorough" is a word of force that once was the cause of beheading two distinguished men in English history, and contributed to behead the monarch they had served; but in their case it was, as Shakespeare expresses it, "an excellent good word—ill sorted." It is, nevertheless, a word of vital significance in all the pursuits of life, and ought to have no terror for us, although it would seem that we are very much frightened by it, and look at it askance. No man can know what real thoroughness is without serving his time at it, except the man who has seen thorough work and felt its value. Without close training, a workman will be slovenly, wasteful, and unskillful; and instead of attaining the perfection which would give him reputation and fortune, he will spend his life in the inferior duties of his art, without ever rising to the honored position and name of the master-workman. Every learner, every apprentice, should be stimulated to the thor-

oughness which will carry him forward to the highest elevation and finish of his pursuit, whatever it may be. Even if he is conscious of a capacity which is sufficient for something different, or something of more consideration and promise, he had better not throw away his mastery to seek repute in that something that he is not practised in. "*Ne sutor ultra crepidam*" is an old Roman proverb of so much significance and truth that it was long ago done into very plain English, now in every one's mouth, "Let the cobbler stick to his last." It is the forcible, homely expression of a principle which is at the bottom and support of all perfection in any vocation. We naturally go to those who have spent their lives in doing some particular thing, if we want that particular thing well done, or if we want the best advice and instruction how to do it well ourselves. There may be accidents, propensities, instincts, that throw a man off from his trade or calling; as I have known an eminent lawyer and judge who became so from having thrust his awl into his eye, and thus impaired it for the exercise of his chosen handicraft; and found that the same defective sight that disabled him from the skillful use of the awl, the last, and the lap-stone, was all sufficient for the lesser mysteries of the law; and enabled him to approach nearer to the perfection of Justice herself, who is represented as so blind, or has her eyes so bandaged, that she cannot see at all.

Among other indispensable needs of civilized life is domestic service; which the best cultivated forms of that life have required should be, like any other art of civilization, a trained service, receiving its compensation according to its excellence. Daughters ought to be trained to it in the families of their parents, not only because it is useful in itself, but because it makes them independent in every necessity, and capable mistresses or teachers of others. It is especially a feminine service, entirely out of the capacity of men to perform with the neatness, aptitude, dispatch, and economy of women. A man's sphere of labor is external as regards the household, and requires different qualities; absolute strength, rough and vigorous muscular work, or indefatigable mental industry.

Man is the bread-winner; woman is the bread-maker. There can be no question, in any reasonable mind, whatever vagaries audacious and unsexed theorists may indulge in, that there is a normal and absolute difference, made by God Himself, and not the result of custom or education, between the man and the woman, and their pursuits and duties. They differ physically, as is palpable; and mentally, as is observable; and it is quite impossible that either should fulfill the special destiny of the other, until nature herself is upset and utterly reversed.—In respect to domestic service, as in respect to most common vocations, we now find little or no apprenticeship, such as existed in the times when the daughters of noblemen and men of wealth and standing, as well as of humble rank, were put under the care and instruction of some housewifely mistress of a household, to be taught the arts and mysteries of domestic service and economy. Instead of anything like apprenticeship in such obvious feminine duties, we find only a casual, spasmodic, reluctant service,—a sulky submission to absolute necessity,—a mere catch-and-go of chance and opportunity for a temporary livelihood,—with no seeming sense or feeling of proper household relations;—in short, a venal service that is rendered heartlessly and slovenly for so many dollars gained, without respect to the greater value of so much experience acquired,—merely to get the food, shelter, and pay, without any sentiment of affection or fidelity to the household, or any ambition to perform a duty well and thoroughly for conscience' sake. Good work is not so much an object as good wages, and, singularly enough, as the work deteriorates, the wages rise. I know that, unfortunately and foolishly, there is a great and common reluctance to be servants, or clerks, or apprentices, or anything else that seems to imply a subordinate or subservient state of life; and how difficult it is to get the services of such a state of life dutifully and skillfully performed. But it is a false and wretched pride, subverting the very foundations of society and the ordinance of God Himself; and turning all the providential, wisely designed, and most useful relations and distinctions in human

industry topsy-turvy. What can any man or woman be in this life but some sort of a servant? We cannot all be masters: we have *one* Master. Every trade, every art, every calling, every profession;—all statesmanship, all Kingship,—is a service; and of all hard and intense service, a vocation or pursuit requiring mental vigor conscientiously discharged, is the very hardest, and domestic service, in the commoner forms of it, perhaps the very easiest. It is computed, as the result of scientific tests and comparisons, that two hours of brain-work is equally exhaustive with eight hours of hand-work. Yet there is a very common vague idea that the labor of the brain is not physical labor; as if the brain were some ethereal or spiritual fume, and not a substantive and vital part of our bodily constitution, requiring unusual nutrition and unusual relaxation, more than other organs of the body, to keep it in vigor and inspire it with workful energy. A man may plow or delve all day without being conscious of half the fatigue and distress of another man whom he envies because he has nothing to do but to sit at ease in his study and preach to him next Sunday; while the man who is to do the preaching is so exhausted by his few hours of preparation that he thinks he would readily handle the plow six days of the week as a happy and healthful relief; such is his notion of the ease of mere muscular labor. Thus we miscalculate and misunderstand each other; thinking that every one but ourselves is the easy and fortunate man, whose vocation is but pastime.

Washington Irving, at a time of life when his literary fame was well established, gives vent to his sentiments on this point, in one of his letters. "Many and many a time have I regretted that at my early outset in life I had not been imperiously bound down to some regular and useful mode of life and been thoroughly inured to habits of business; and I have a thousand times regretted with bitterness that ever I was led away by my imagination. Believe me, the man who earns his bread by the sweat of his brow, eats oftener a sweeter morsel, than he who procures it by the labor of his brains."

In every position, a man should feel it as an obligation to

be well accomplished in the particulars that pertain to it; otherwise his conscience should impel him to decline it; although I fear very few consciences are tender enough for that. There are, it is true, some positions and some emergencies that require more of stout brains, than of special experience; and in such, if the brains are not lacking, the lack of special experience may be waived. But I am speaking of the multitude of men, and not of the exceptional great men that God provides, with inscrutable purpose only, at the rate of one or two in a generation. The mass of us are chiefly useful and excelling in some subordinate, but none the less praiseworthy callings; and we are the more useful and excelling by first earnestly qualifying ourselves, and then by pertinaciously following what we are qualified for. I believe that it will be found on examination that the greatest proficiency in many arts and vocations has become somewhat hereditary and constitutional, by being constantly taught and handed down from generation to generation in the same family or household connection. Thus we find that particular countries and cities have acquired celebrity in particular branches of manufacture or trade. In some, they make the best silken fabrics, in some the best woolen, in some the best linen; in some, again, they excel in laces, embroidery, jewelry, or fancy work; in some are found the best husbandmen, the best shepherds, the best herdsmen; and this repute of superiority has been often maintained from remote antiquity. All this is the result of training. It is not the more or less of natural gifts, although they have much to do with all sorts of industry; but it is the assiduous and tenacious application of them to a given mode or art of doing things, by which great aptness, ingenuity, and ease are attained. This is skillful labor, and what is demanded by civilized people everywhere. It is particularly demanded in this country. How is it to be supplied?

It is easy to answer that wherever there is a necessity for any special skill, it will always be forthcoming. But how if there be no apprenticeship? Where will be the skill? Certainly not amongst ourselves, but, if anywhere, amongst

foreigners well bred to their pursuits in countries where apprenticeship is still properly estimated. Even now if we want excellence, we depend upon the English, or the Germans, or the French, or the Netherlanders, or some other people who have had the sense to educate themselves from father to son, in some special industry necessary or important to man, and to acquire that deft and finished way of doing it which makes them so necessary that we send out and entice them, by extraordinary inducements of pay and position, to come and aid us with true journey work. For one, I rejoice to replenish this country with it; but I grieve at the needless and shameful necessity which compels it. We have room enough for all; but it is time to reflect that the same negligence on the part of adopted citizens for which we ourselves set them an unworthy example, will eventually leave us destitute of the trained labor which distinguishes those countries on which we are drawing for journeymen and masters. When we have exhausted what the old world can spare, where is our own resource?

I see none but in apprenticeship here at home. We must bring up our children, with due regard to their bias and aptitudes, by thorough drill and application, to such useful vocations as they may reasonably incline or be persuaded to follow. In most of these there should be no journeymen unless they have first been apprentices for such a term as is likely to establish their fitness. They should not be allowed to jump from a short bit of service in rudimental parts of a business,—while they are smatterers,—into the ranks of journeymen, demanding the pay of men for the work of boys, and trusting to their wits and presumption rather than to their substantial, well-grounded acquirements. This makes a poor show for perfection in anything; and if improved devices in machinery did not continually spring up to supply, in their way, the want of handicraft, it would not be long before many of our arts would disappear among the “lost arts.”

In one form or another, apprenticeship has existed from very remote times, probably ever since the division of labor;

and there is much curious and instructive history connected with it. Some countries could never have attained their prosperity and renown without it. Great Britain, for example, has not only cherished it among her own people, but has been ready and open for skillful laborers from every quarter. When the revocation of the Edict of Nantes by Louis XIV, and the atrocities of Alva in the time of Philip II, scattered the working population,—the thorough-bred artisans and manufacturers of France and the Netherlands,—they were gladly welcomed in England, and helped to secure to that country of their refuge and adoption, a superiority of trade, arts, and manufacturers. The English laws early provided for apprenticeship in every calling,—agriculture, mechanical arts, trades, shopkeeping, medicine, the law, the navy, the army. A boy could be indentured to every sort of service, and the privilege of entering into it was freely purchased by a round fee; and we are told that “the sons of knights, esquires, gentlemen, ministers, yeomen, and tradesmen came up from their particular places of nativity and were bound apprentices in London,” where they sometimes became a formidable force for mischief and for defence, as well as for labor. About a hundred years ago there was some disposition, I suppose, such as prevails among us now, to shorten apprenticeship: for the Parliament then passed an act to oblige apprentices to “serve out their time for the full period agreed upon”; likely considering that anything less would not qualify them.—In France, when the term of apprenticeship was five years, an additional service of five years was required as a journeyman, before one could be a master. In Queen Elizabeth’s days, when it was the custom to intermeddle with minute affairs, she had so much consideration for the apprentices as to regulate their apparel and trinketry; paying them the same respect that she paid to the “great lawyers” in regulating their dress, their beards, and their hair.

There is a law of this State (and I believe of most of the States) of English origin, that provides for apprenticeship. It was, within my remembrance, much more freely used than it

is now. Indeed it is now so little in vogue for general purposes according to its original intent, that it is little better than obsolete; for so limited is its practical application that one is almost disposed to exclaim "Blessed and favored are the children of poverty and the orphan children, and even the vicious children, for they are the only ones early trained to useful lives in the way of good old-fashioned apprenticeship!" Perhaps in this way, orphanage and poverty, and youthful wilfulness, may be an advantage to the community. The charitable institutions devoted to these classes make free use of indenturing, and generally for the full and safe term of seven years; and in a late report of one of the oldest of these great charities I find a confirmation of my judgment. "It is a matter of importance," it says, "that the greatest possible number of boys be placed under proper indenture, and taught the trade of their choice. Our mechanics and manufacturers, offering liberal wages, look anxiously around for skilled labor. They often look in vain. For a pernicious idea of soft unsoiled hands fills the empty heads and silly minds of youth, and carries them into avenues of business already crowded, where the merest pittance of compensation can be obtained." If well-to-do parents will not take advantage of such legal provisions, as a step beyond and in furtherance of a common school education so freely provided, to train their children to useful vocations, a few generations will disclose a falling off in skill and thoroughness that will leave us behind the rest of the world in much that is important to our personal and national prosperity.

Some who do not object to apprenticeship of itself, object to the usual term of it,—from puberty to majority,—and so are disposed to shorten it down, just as what little apprenticeship we have now is shortened, to a limit insufficient for its object. An army apprenticeship at West Point is of the very strictest and most laborious kind, and is of four years' duration, to say nothing of the preliminary preparation for it, and the subsequent likely continuance of it in subordinate positions of the service. A navy apprenticeship is pretty much

the same. As this sort of indenture is very much sought after, and the term of service is very willingly fulfilled, it may be safe to say that four years are none too much for the acquisition of the needful skill. But of course there are differences in youths that justify occasional modifications. Some have more brains than others; and brains, although they cannot perform handiwork, may sensibly aid handiwork, and thus help to curtail apprenticeship. A sharp wit, with proper diligence, will doubtless sooner acquire skill in any pursuit than a dull one; and even in mere physical work of the limbs and muscles, the feet and the fingers, some have a natural superiority over others; a greater flexibility, delicacy, nimbleness, aptness, and dexterity. There are differences in pursuits, too, that will justify a modification; some being more complex and difficult to master than others. Yet it is to be considered that the general verdict of all countries has fixed seven years as the suitable standard for the mass of employments; and a very good reason for it may be, that a large portion of the time is spent to the loss of the master before the apprentice begins to be really serviceable, and that the rest of the service is but a fair compensation for the instruction.

I remember when to be a simple attorney at law, (when attorneys, I believe, were not any more simple than they are now,) a seven years' close apprenticeship was required, an expensive academic or collegiate education of four years being allowed for a part of it. Another three years of training or practice was required to make a counsellor. This, to be sure, was much short of what used to be required in England, where sixteen years was demanded, and one could not become a sergeant until he was forty. Nowadays, however, a youth fresh from college, will jump to be both an attorney and counsellor at one leap, after listening to a few lectures from somebody who has perhaps never conducted a law suit in his life. It is not far different in medicine and divinity, as they are now tolerated. I do not know but the mass of professional men thus easily let loose on the community may manage to live and learn; but if they do not learn as they live, they will

never know anything like as much as their professions imply, or as their duty obliges them to. I do not deny but that there are men distinguished in every vocation, who have mastered their distinction without the preliminary early training that I have insisted on; but I never knew of one who did not confess that such a discipline would have saved him much of the time and toil of his later years, necessarily spent in making up for his youthful deficiencies. I might name those who, with all their gifts and reputation, have all their lives been conscious how much their usefulness and efficiency have been cumbered and impaired by a want of steady and enforced apprenticeship.

I must not overlook one important point. Without trained labor we cannot have organized labor, which is getting to be of such essential consequence. Effective organized labor cannot be carried on, unless all the departments of it are filled by men of skill in their respective callings. Without a thorough engineer to regulate and control the motive power of a cotton or woolen mill, all the accomplished weavers you may employ cannot make a yard of cloth; unskillfulness at the engine perils the skill of all who depend upon its proper management; and it is the same in every branch of the work pursued; want of skill in any shows itself throughout, to the spoiling of the fabric and the disrepute of the manufacturer. We might as well expect an army to be successful without a competent commander, and without drilled subordinates of all ranks,—engineers, artillerists, infantry, cavalry,—as that any scheme of organized labor should prosper without trained workmen in its several branches; each versed in his own, and mindful to do that well, whatever may be the ignorance or the negligence of the rest. A pin seems to be a simple and insignificant article; and yet before pins were manufactured by machinery, it required the combined and particular art of fourteen several hands to make one; and each hand pretended to no special dextrousness in any part but that which it was its particular task to handle. I will not venture to guess how many particular processes requiring each its particular experience it

demands to produce a perfect piece of cotton or woolen cloth, or a time keeper, or a steam engine, or any bit of the complex machinery by which such and the like things are produced; but this I know, they are all the result of individual skill combined in organized labor, and they all depend on faithful apprenticeship for their perfection. This is the sum of the whole matter; and therefore I repeat, encourage and follow honest apprenticeship. It will supply to this country the one thing needful for its material, if not for its moral, prosperity.

I will add a word by way of conclusion to this course of lectures designed to amuse and instruct those who are occupied principally in manufacturing and mechanical employments. I hope the time that has been spent in listening to them has been agreeably and usefully employed, as I am sure that the time devoted to their preparation has been cheerfully and ungrudgingly bestowed. I trust, also, that if there has been a mutual satisfaction so far, there may every year be found those both to lecture and to listen, as a perpetual memorial of the beneficence which has done so much, by the gift of this structure and in other memorable ways, to promote the pleasure, the instruction, the self-respect, and the welfare of that most industrious and substantial part of the community to which all the rest are indebted for their comfort and prosperity; and who, in their useful sphere, have rescued this now prosperous city from an impending stagnation of its growth and importance. If, half a century ago, when I used to spend an occasional Saturday afternoon in fishing off the old bridge just by here, casting my line into the clear waters of Nail Creek (all dye-stuff now), and thinking my half holiday well rewarded by a string of dace, roach, and shiners, hardly big enough to be visible after they were scaled and disembowelled,—if any man should have accosted me with the prophecy that within fifty years I might revisit the spot, and, on looking round, behold what is now within sight of it—great cotton and woolen mills; the homes of hundreds of artisans gathered from all the renowned lands where apprenticeship is cherished and crafts are skillful; the products of their industry, famous

for their excellence, daily transported to all marts and climes—it would have been as unresolvable a mystery to me as the Apocalypse. The “pent-up Utica” of that day gave no such tokens of prosperity and enterprise. To what are they owing? To the foresight, earnestness, energy, and liberality of a few thorough men, who clung with wonderful tenacity to the idea and the purpose of retrieving the decaying fortunes of their beautiful town and neighborhood, by the employment of organized capital and industry in the mechanical and manufacturing arts—such men as Munson, Mann, Childs, Walcott, now reposing in the cemetery, with their monuments *here*,—these adjacent conspicuous piles consecrated to organized industry,—and some still living to witness the success of their dubious and struggling enterprises, and to enjoy the fruits of them, and whose names will also be perpetuated by these same honorable monuments, on which might well be inscribed,

“The towns they quickened by mechanic arts,
And made the fervent city glow with toil.”

And to you who are co-laborers with them, applying the skill you have most of you acquired by the apprenticeship it has been my purpose to commend and exalt, I say, with the “Knight of Arts and Industry”:

“If right I read, you pleasure all require:
Then hear how best may be obtained this fee,
How best enjoy’d, this nature’s wide desire.
Toil and be glad! let Industry inspire
Into your quicken’d limbs her buoyant breath!
Who does not act is dead; absorpt entire
In miry sloth, no pride, no joy he hath.”





MECHANICS' ASSOCIATION, MARCH 4, 1870.

THE GOLDEN MEAN.

MEN are prone to extremes, both of thought and of conduct.

I do not offer this as an entirely original coinage of my own brain; for I bear in mind that King Solomon the Wise said, about thirty centuries ago, that there was no end to the making of many books: and it is likely that amongst those which he had in his mind when he made that remark, or amongst the multiplicity of those which have since overwhelmed mankind, such a truism has been propounded before in some of the uncouth tongues that descended from Babel; and that after the common mode of original thinkers in this old and oblivious age of the world, when everything thinkable must have been thought and perhaps said several times over, I have somewhat confounded the profound observation with my own wisdom. But whosoever it may be, it is none the less a great truth, and we constantly overlook the moral of it.

Only very wise men have any proper business with extremes, although very weak ones handle them the most familiarly and incautiously. God made man a medium, Sir Thomas Browne says, between beasts and angels¹; not, I suppose, what is now-a-days called a *spiritual medium*, but a sort of balance or interjection between downright beast and

¹ "We are only that amphibious piece between corporal and spiritual essence, that middle form that links those two together, and makes good the method of God and nature, that jumps not from extremes, but unites the incompatible distances by some middle and participating natures."—*Rel. Med.*, § 34.

pure spirit, with tendencies each way, and a power to keep them to a middle way. Yet the golden mean, which ought to be natural to man, as the condition in which he was created,—the *aurea mediocritas* of the great Roman lyrist,—considered in a larger way than he considered it,—is very difficult of human attainment; and the epithet *golden* expresses its great value when attained, whether we regard it in its personal, its social, its civil, or its religious aspect.

There is a constant aspiration and uneasiness of mind, prompting men to dissatisfaction with what is common and of course; and stirring them to thought and action this way and that; if with no higher purpose, with a purpose of change and variety. There seems to be a disposition in most of us, and particularly in the young and those short of middle life, to rejoice when, although in a very unscriptural sense, old things are passed away, and all things are become new. The poet Cowper gives as an apology for this,

“that the mind
Of desultory man, studious of change,
And pleased with novelty, may be *indulged*.”

But there are some severe and sour-complexioned men, such as Izaak Walton would not allow for competent judges, who do not at all believe in change and novelty, nor will they tolerate them as an apology for any sort of indulgence, because that too is a thing which they do not believe in. Such bilious souls have, doubtless, their peculiar obscure modes of happiness; consisting, perhaps, in the consciousness that they are making somebody besides themselves uncomfortable and sour. “So far,” as Bolingbroke expresses it, “from promoting the happiness of others, that they make their happiness to consist in the miseries of others.” Just as Domitian derived exquisite pleasure from impaling flies, and Torquemada more exquisite still from impaling heretics. The only amiable feeling which they indulge in freely is that mysterious and unfathomable sort of love which proverbially connects misery and wretched company. But these are somewhat excep-

tional people. The mass of men need and tolerate indulgence; and wanting moderation, they indulge in extremes. There is a petition in some daily prayers that we may be kept temperate in our meats and drinks, and it is a very proper and most needful petition; but even those who offer it very earnestly are often voracious and bibacious,—gluttons and drunkards,—so prone are men to extremes. Temperance in meats and drinks is an obvious golden mean between abuse and abstinence; but it is difficult to hit and preserve it. Some, however, make abstinence a greater virtue than temperance; that is, they make the extreme more virtuous than the virtue itself, which is the true golden mean. Such are ascetics and anchorites, whose extreme can only be justified by reason that it enables them to escape the opposite extreme, and not because it is a general virtue absolute, but a protection to them against a vice. The real virtue lies between. “Be temperate in all things.” Against the extreme of indulgence may wisely be set up the extreme of abstinence; if it triumph, great is the triumph, but it is the triumph of an extreme. Morally, a virtue ought not to require anything but its own intrinsic merit, and the voice of God and of conscience, to approve its value, nor to require a resort to extremes and the antagonism of extremes to sustain it. For extremes are of the nature of vices, and commonly produce only a spurious sort of virtue out of their conflicts; a virtue in bonds and fetters, not a free virtue. “Between all extremes,” says Bolingbroke, “there is a certain middle point which men of genius perceive and to which men of honor adhere in public and private life. Thus avarice and prodigality are at an immense distance; but there is a space marked out by virtue between them, where frugality and generosity reside together.”¹

We frequently see enthusiastic, ill-educated, short-sighted, one-sided, and well-meaning people who rouse themselves into fanaticism enough to start a party or a sect founded on a single idea, often some old one long since smothered to silence;

¹ *Occasional Writer*, No. 2.

or to push some famous newly devised remedy for some old-fashioned social, religious, or political evil which touches their sensibilities; and who set the community agog by meetings and resolutions, by addresses and newspapers, by pamphlets and books, to magnify that single idea, or to extinguish that particular evil; as if that idea or that evil were the most momentous to the whole world of all the ideas and evils that ever existed in it. Such people would follow the example of Erostratus, and burn down the best social edifice to smoke out an evil or perpetuate their own names and notions; or the example of Mohammed, and promulgate their pet idea and ambition with violence and warfare. In such ways ideas and evils are swollen beyond their degree, and become temporarily preponderant in the minds and imaginations of men; which, if left to themselves, would providentially make their way in the world, or their way out of it, as they respectively happen to deserve, without all the hubbub and rout that extreme men make about them. The bad would be smothered in their own ashes, and slumber peaceably and innoxiously until some future generation blow some obstinate wakeful spark into a blaze again, that grows into a fresh conflagration, awaiting a fresh inevitable extinguishment; while the good would quietly and surely win their way to universal acceptance. History is full of such fluctuations and excitements, such tides and ebbs of human thoughts, opinions, and conduct. They constitute the most interesting materials of history.

The transition from these general remarks to what I particularly propose for your consideration now, is not violent, although it may seem to be somewhat oblique and inconsecutive. I wish to show, what seems to be much forgotten in the rush and tumult of our generation, that moderation and a conservative spirit and action, which are thought, not uncommonly, to be somewhat tame, sinister, and truckling virtues,—even if they be allowed to be at all virtues, and not rather faults, weaknesses, or vices,—are really of some good merit and account, whether in regard to society, politics, or religion; and do not quite deserve to be put down and sneered

at by enthusiasm, half-knowledge, and experience in the milk, as they are very apt to be in these days. How to preserve an equilibrium, or more reasonably a preponderance, of wisdom and good sense in the midst of ominous social, civil, and religious agitations, uncurbed impulses, unstable principles, and staggering faith and reason, is a problem worth meditating. It must be meditated, too, under the actual lights of the past and the passing, for we are not second sighted enough to peer through the shadows which coming events are said to cast before them.

The world is constantly revolving from one stage of experience to another; and somehow it happens that every transition is called *progress*, while in action, although it may prove to be a transition *retrograde* in the result; as we see in some dances, there are alternate movements to and fro which are agreeable enough for variety and pastime, although the ultimate conclusion of them is that you end where you began, and have made motions without progress. Many of the revolutions in human affairs are of this character. Many others are like what we call country dances, where those who have the first start, if they ever get through to the bottom, are rarely successful enough to get more than half-way back to their destination before the frolic is abruptly done, and they are left standing in the midst of an unfinished purpose,—the miniature likeness of a baulked revolution.

A transitional age that is at the same time a progressive age, is generally also a troubled and uncomfortable age. It is so, because men will not deliberate; they will not wait; they will not make transitions easy. To do that is the office of true conservative wisdom, which “stays awhile, to make an end the sooner,” according to Sir Amyos Paulet’s recipe for dispatch; which brings about reforms by gradual improvements and wholesome accommodations, and by pursuing a middle way, which is the safest to go in, if Juvenal speaks by the card; and not by impetuous measures and violent resorts, such as profuse blood-lettings, or overpowering doses of some popular remedy, stimulating or narcotic. The French Revo-

lution, for instance, was a tremendous eruption of a combustible people, such as had no historical precedent for its fury, blood, and fire, and its upheaving of the very foundations of government; and is not likely to have any historical repetition. The *aurea mediocritas*,—the golden mean,—the moderate and conservative spirit was, if not wholly lacking, wholly cowed and overpowered; and the just and satisfactory oscillation and equilibrium of the pendulum between the extremes has not been adjusted to this day,—now nearly a century. The American Revolution preceding it was, if it be not paradoxical to call it so, a conservative revolution, of a character to justify frequent repetitions under the like circumstances. The revolutionary leaders in France were of a different complexion from the revolutionary leaders in America: they lacked the moral balance and equanimity which characterized ours. "They acted," to use the language of Bolingbroke, "in an extravagant spirit of license, rather than a sober spirit of liberty."¹

They either had no Fabius, or they would tolerate none. Washington was our Fabius, and more; the very genius of true conservatism, which need not be brilliant or adventurous, but must be cautious and wise. The original and bolder genius of Hamilton was of the same stamp, and so of most of those whom we call the Fathers of the Republic. Our constitution is as different from the French revolutionary constitution, as scientific induction is from mere empiricism, because it is the product of practical and prudent minds, who studied the past for its examples and its warnings, and respected its experience; and not the offspring of effervescing passions and headstrong enthusiasm, disregarding all the lessons of the past, and determined to spin the world on an entirely new axis and make it revolve the other way. Our Fathers concurred in the noble sentiments of Burke's *Letter to the Sheriffs of Bristol*.—"The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains no where, nor ought to obtain any where; because extremes, as we all know,

¹ Lett. VI., *Diss. on Painting*.

in every point which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment. Liberty, too, must be limited in order to be possessed."

The truth is always to be preserved at all hazards, even at the hazard of occasional violent relative extremes, although the truth does not itself lie in extremes. A conservative spirit must of its nature seek to preserve the truth, and be suggestive of all reforms which tend to preserve it; and so whenever abuses of any sort reach down to the root of any law, custom, usage, policy, or opinion, as they sometimes will, it is willing that the root should be utterly grubbed out: so far it is a radical spirit. Most of the abuses and evils which excite or annoy men do not reach to the root or bottom; but are mere incrustations, mosses, rust, or barnacles, easily removed by gentle applications of rubbing, stripping, rasping, or polishing. Lord Bacon, who says of himself that he "was not overhasty to raise theories," and "was always for moderate counsels," said to one who was speaking of a certain reformation, "Sir, the subject we talk of is the eye of England; and if there be a speck or two in the eye, we endeavor to take them off; but he were a strange oculist who would *pull out the eye*." A right reforming spirit is thus a right conservative spirit, "disposed," as the same great man says elsewhere, "to find out the golden mediocrity in the establishment of that which is sound, and in the reparation of that which is corrupt and decayed"; and concurring with what is declared and avowed by one of the great reforming churches to be *its* principle, "a happy mean between the two extremes of too much stiffness in refusing and too much easiness in admitting variations in things once advisedly established." Good reforms are always conservative and progressive; not the offspring of a sudden heat and enthusiasm, but of moderation and wariness; of a desire to keep or to attain the golden mean; of a "steady belief that this world can and should be *quietly* improved."¹ — "Rage and frenzy" says Burke, "will pull down more in half an hour, than prudence, deliberation, and foresight can build

¹ *Edinburgh Review*.

up in a hundred years,"—but "at once to preserve and to reform is quite another thing."—"A spirit of reformation is never more consistent with itself than when it refuses to be rendered the means of destruction."—"There is a marked distinction between change and reformation. The former alters the substance of the objects themselves; . . . reform is not a change in the substance, or in the primary modification of the object, but a direct application of a remedy to the grievance complained of."

There is a marked difference also between mere change and innovation. Change does not necessarily imply novelty, and is often, therefore, effected with less disturbance, and a readier approval, than innovation which does imply it. "Time is the greatest innovator," says Lord Bacon; and "to innovate is not to reform" adds Burke. But time destroys as well as innovates; and while it ripens some things, it causes others to decay. Reform prunes away the decaying parts of things, or their redundancies, and thus renovates and preserves the rest. The moderate minded man will therefore warily reform, where he would neither innovate nor destroy; avoiding the hazardous extremes on this side and that; leaving the root which is sound, and the branches which are not diseased, and the leaves which indicate remaining vigor, so that the pruning knife may inspire fresh life and renewed growth and strength to the worthier parts, the blossoms and the fruit.

There are, doubtless, occasional great emergencies in human affairs which demand and justify extreme measures; but they require calm and conservative minds and tempers to handle them successfully. "To act in extremes," says Sydney Smith, "is sometimes wisdom; to avoid them is sometimes wisdom: every measure must be judged of by its own particular circumstances." The great requisite, in such cases, seems to be competent wisdom in judging how to act, which may doubtless be found in that "multitude of the wise" which it is said apocryphally in the Book of the Wisdom of Solomon, "is the welfare of the world." The Romans were extremely tenacious of liberty; but they occasionally found it politic and

conservative of liberty to confer absolute rule upon a dictator, who was the uncontrolled and irresponsible master of the republic and of extremes. I never considered the summary emancipation of the slaves during the late rebellion as in any other sense a radical measure than that it was an extreme one, justified, according to Sydney Smith's postulate, "by its own particular circumstances." It was a wise blow, well and opportunely struck, by one rather averse to striking it, at a juncture when it might better be borne than at any other period likely to occur; when the country was in that state of mind not only to suffer it, but to rejoice in it, as a most desirable end which must come sooner or later,—if later, at an incredible renewed cost of distraction, turbulence, and civil war. In truth, it was a profound, conservative, and self-preservative measure in regard to everything but slavery itself; and the conscience of the people so approved it. A state of war, and especially of civil war, is a state of extremes, suspending the golden mean as summarily as it suspends a specie payment.

Many, if not most, of those men who have distinguished themselves as radical reformers or bold innovators in matters of government, and have lived to witness the result of their enterprises, will be found to have finally settled down into a position not quite consistent with their manifestoes,—into a mediocrity, or into considerable modifications, of their first opinions and policy. They start with an impetus which they cannot sustain, and, like a chapman with his wares, claim more than they expect to realize. Sydney Smith remarks shrewdly that "all great alterations in human affairs are produced by compromise": so it seems that, after the effervescence of a great revolution or innovation somewhat subsides, the first deliberate thought of its deviser is how to compose the still agitated waves, and settle his reforms upon some permanent basis. Then he discovers the necessity of easing off and softening down; of approaching stealthily the golden mean where extremes usually meet for repose from their exhausting conflicts. Thus Napoleon managed a fiery revolution

and anarchy under a pretext of being in the spirit of it, and ended by establishing a practical autocracy as intolerable as the despotism it supplanted, with the brilliant difference that it was enlightened, and not blind and superstitious. It was the despotism of one masterly mind, instead of a bigoted King and a crafty priesthood. Such was the golden mean for that occasion and that people. Cromwell, after subverting the kingly power, and climbing into a place of equal or more authority, thrust down the ladders by which he had mounted, and assuming a more arbitrary rule than that which he subverted, yet saw the necessity of allowing and helping matters to adjust themselves upon the old basis, under another name; and the same people, by whose aid he had risen, as soon as he was dead, restored the system which he had struggled to change. So strong was the conservatism of the English people, when they found that, as Bolingbroke expresses it, "the state was subverted, instead of being reformed." "On the restoration they suffered their opinions to be bent too far on one side, as they had been bent too far on the other; not that they might remain crooked, but that they might become straight,"¹—in other words that they might settle down into a golden mean.

A great statesman, historian, and man of letters, Guizot, maintains as "the essential condition of social well-being, the union of movement and repose, of conservatism and progress." This is a true golden mean, and if the mass of men would concur in it, the world would see another golden age. To realize it, however, demands some particular virtues and abilities which, although they doubtless exist, are not now in their proper place of influence and authority. We have very few of that sort of statesmen that Burke sets up for his standard, men with "a disposition to preserve, and an ability to improve, taken together." We have plenty of that other sort who, in the language of an old Father of the Church, "seek to go forward still, not to perfection, but to change"; and who are but too readily seconded by a people that boasts of its in-

¹ Lett. II., *Diss. on Parties*.

telligence, but woefully lacks in training and fixedness of purpose. We have wonderful energies, and a country almost too vast to expatiate in. It is with us, as it is with steam engines; we require a governor to equalize and regulate our movements, —a force moral that shall control our minds and impulses to a safe moderation and mean of movement, as the mechanical governor controls the powerful agent which, without it, would follow its own natural and vigorous tendencies towards explosions and destruction. It is with us, as it is with locomotives: we require a track to guide, and a brake to check us, or we shall be thrown off the golden mean which we know to be safe, over the precipice of one extreme or into the gulf of another. Enlightened minds and good consciences and the “prudent, cautious self-control” which Burns calls “wisdom’s root,” must be our governors, tracks, and brakes to restrain our somewhat reckless tempers and dashing energies to that true mediocrity which, in the proper sense of the word, is the prime wisdom and the truest happiness in all the relations of human life.

It is not beside my purpose, and I hope I may be permitted, to say a word in this connection, about what we call education. Of real education, we have very little, although we boast of having a good deal. We teach elemental secular studies in our common and private schools, and give religious instruction in our Sunday schools, to children generally; and some of them we carry along a little higher up the hill of science through academies and colleges, where we leave them to pick their way to the top with very little encouragement to reach it. Most of the prizes are below, and very few above. In all this we are worthy of the compliment which Dr. Johnson bestowed upon education in Scotland,—“we give every one a mouthful, and no one a bellyful.” Even those who get what we call a finished education according to the *curriculum*, —who stuff their paunches well with that learning,—get little besides. All get no training,—that which is the vital part, the soul of education,—the golden mean between pure ignorance and the highest book-knowledge. There is, I fear, little

home education, secular or religious. We send our children to school both week-days and Sundays, until they are old enough to go to trades or professions, and call that education. There was a time when apprenticeship and professional study meant something, and that something was training; it was a seven years' discipline of body and mind to some particular chosen pursuit in which success or eminence could only be attained by skill, experience, and good desert. What is become of apprenticeship and professional drill? Apprentices are journeymen or masters, and collegians are lawyers, doctors, or clergymen, without any sort of intermediate training, which is the golden mean through which crude book-knowledge and raw handicraft used to be transmuted into skill and perfectness. What is become of morals and manners, as an essential part of education? Street training has usurped that of the fireside; and the Sunday school, with all its great usefulness to the classes it is properly designed for, is supplanting in many households the religious instruction proper to the hearth and home, and plausibly relieving parents from the cares and duties of that domestic training which is more effective for good morals and a religious life than all other teaching.

If we compare conduct and policy governed by such maxims and principles as I have aimed to inforce, with practices and measures which somewhat characterize our day and country, we shall probably perceive a strong tendency to fly from the golden mean and to push extremes; and that we are constantly urged and led in such directions by ignorant, ill-trained, vain, or conceited persons, both men and women. Such are the boldest fomenters of great social, religious, and political changes and pretended reforms, which have no higher merit than mere innovations; removals of the old landmarks which only breed confusions; deviations from the old paths for which the prophet advises us to ask, and walk therein, for they have been long and safely trodden. We encounter daily the inventors, advocates and missionaries of new-fangled theories trumped up from exploded notions,

long since forgotten, like dead men out of mind; or, as Bacon expresses it, "heresies that arise out of the ashes of other heresies that are extinct and amortized"; all resuscitated, as attractive and weighty novelties for new occasions of excitement and notoriety. Such have no small following. We all of us know persons of no particular good repute suddenly becoming famous by their enthusiasm and urgency in favor of one ridiculous extreme or another; who assume to be professors or doctors of something, without any qualifications that we ever discovered for any sort of professorship or doctorate, excepting as their supreme ignorance of everything but human weakness and folly, in which they are great adepts, may qualify them. Each is wiser in his own conceit than seven men who can render a reason. We see how they supplant the educated, the pains-taking, the skillful, and the thorough, who despise pretensions and abhor extremes; how they catch and detain the ears, not only of ignorance and superstition, but of many knowing people; of those who run after audacious oddity and eccentricity; and of those who, like an Athenian mob, are constantly demanding some new thing, as if there could be anything new under the sun, excepting the fresh discoveries of science, and the fresh inventions of ingenious art applicable to them. Even these also may have been "already of old time which was before us, and of which there is no remembrance."

"Reduce things to the first institution, and observe wherein and how they have degenerated; but yet ask counsel of both times: of the ancient what is best; and of the latter time what is fittest."¹

It seems to me that in our private and social life we surrender too much of our personal independence, truth, simplicity, and individuality, from a fear of holding to a golden mean of conduct lest it should be odd, marked, or unfashionable. It is a petty and miserable slavery that is said to prevail more in this country than elsewhere. In dress, in habits, and even in the essential particulars of morals and manners,

¹ Bacon's *Essay, Of Great Place*.

we follow some fluctuating standard set up no one knows how, although its origin is generally of a suspicious character. We yield so much of our private judgment, tastes, inclinations, and preferences to tame or vicious conventionalities, that our personal qualities are smothered, and our distinctive characteristic traits of humanity are faintly visible. Our social usages have the operation of a mould that makes everything of a like pattern, which may be well enough in itself; but the mould is constantly varying to odd extremes, which few have the courage to disregard in vindication of their own judgment, or in reproof of the misjudgment of society. We are bitterly conscious of wasteful, extravagant, and luxurious ways and customs which we have not the pluck to forego or abandon, even though our means are inadequate to compete with the fashion and show which we are slaves enough to emulate to our ruin. We equip ourselves in shams and all sorts of Gallic fripperies and deceits, masculine and feminine, often the extravagant devices of the equivocal classes of social life; and go gregariously in the same styles and patterns that are set forth with kaleidoscopic change from some mysterious head-quarters beyond seas, where the genius of extremes in fashions resides, and casts utter contempt on the golden mean of tasteful neatness, unadorned with gauds and glitter. Even in our pleasures and amusements we find no golden mean; simple, innocent, and inexpensive delights are tame and *jejune* because they are not extreme enough; and such enjoyments and pastimes as attract us most, require a strong and still stronger dash of game, revelry, or dissipation to prevent their palling.

On the other hand, there is a sort of social slavery which almost prevents our doing good and behaving well with any privacy and independence. We are packed into clubs, societies, and companies, outside the Church and in it, to promote every virtue and put down every vice that can give a name to them; and each of them has its special pledges, and rules, and espionage which somewhat reproach the Bible and cast a doubt upon the sincerity of our religious professions;

as if implying that a man's Christian vows at the Altar of God were of no force to govern conduct, without a specific vow made elsewhere to observe some particular virtue that has some particular society exclusively devoted to its particular protection and encouragement. It is a sort of surplusage and supererogation of vows and promises, that after having solemnly undertaken to keep all the commandments, we should be expected to "make assurance doubly sure" by pledging adhesion to a special organization for each single one of them, and turn the great society of all Christian people into a bundle of petty societies of fourth, or seventh, or tenth commandment people, to which they must belong if they would not be very suspected and dubious Christians—Laodiceans at least. In the matter of charities and gifts, also, we are hardly left masters of our purses, or competent judges of our duty and ability; but are expected to be liberal according to some prescribed standard, and because others give who do not know how to avoid it if they would. The enginery of charities is getting to be something formidable, in a social aspect: what gifts and subscriptions and bequests will not do, fairs and raffles and lotteries and other questionable or unlawful devices supplement: what we do not give ourselves, is worried or coaxed out of our children; and what men cannot get from us by argument or example, women contrive to get without either. No matter how much we may do by stealth in the way of giving, we are rated just as high for all the popular and blazoned charities as if we did nothing: and not to be gazetted as a donor to them is equivalent to being set down as a niggard. So that even our charities are constrained, and only the boldest find courage enough to adhere to the golden mean, and the freedom of judgment without which it cannot exist.

The golden mean of private life, however, is that which most concerns our happiness, and deserves a little reflection. It is a theme on which the poets and essayists are particularly eloquent. Practically, we hardly begin to regard it before middle life, when our youthful enthusiasm is exhausted or

sobered, and we feel the vanity of worldly ambition and see the hollowness of earthly honors.¹ It is then that we are apt to replace that enthusiasm with an avaricious aspiration for gold, and we might be happy if in such an aspiration we did not exceed the golden mean, and could rest content with a competence. Not many of us, I fear, can join very heartily in Agur's prayer, nor in Cowley's:

"If ever I more riches did desire
Than cleanliness and quiet do require,
If e'er ambition did my fancy cheat
With any wish so mean as to be great,
Continue, Heav'n, still from me to remove,
The humble blessings of that life I love."

Or that other prayer, still stronger:

"For the few hours of life allotted me,
Give me, great God, but bread and liberty,
I'll beg no more; if more Thou 'rt pleas'd to give,
I'll thankfully that overplus receive;
If beyond this no more be freely sent,
I'll thank for this, and go away content."

How would such a prayer sound in the Gold Room, where such a thing as a golden mean was never heard of! How many a mere politician (I do not mean statesman) thinks of a golden mean except as so much filthy lucre as he can grasp! Yet it is within the reach of us all, the right golden mean. The Genius of Disappointment tells Hamet and Raschid that "of whatever may be enjoyed by the body, excess is no less dangerous than scarcity." Therefore avoid excess by moderation, and scarcity by industry. "Though vicious times invert the opinions of things," says Sir Thomas Browne, "and set up new ethics against virtue, yet hold thou unto *old* morality." Shun, therefore, the loose new ethics that teach, "Get gold; honestly if thou canst,—but get gold." Even gold is

¹ See Addison, *Spectator*, No. 464.

not necessary for the golden mean: a little competency, a clean conscience, abundant virtue, and equal freedom, is the whole recipe.

“Freedom with Virtue takes her seat;
Her proper place, her only scene,
Is in the Golden Mean:—
She lives not with the poor nor with the great.”

THE DEDICATION OF GLENWOOD CEMETERY AT ONEIDA, SEPTEMBER 1, 1870.

IT is a matter of very little importance to the dead how they are buried. Living, they may have engaged their feelings in a matter even so insignificant as that; as they were doubtless also engaged in many other matters of as little or less moment, which occupy men's thoughts to the neglect of those that, according to our faith, concerned them more deeply. Thus we are told that Ulysses cared not how meanly he lived, so that he might find a noble tomb after death; and Nelson's great ambition was a public funeral and Westminster Abbey: but, dead, what mattered it to Ulysses or to Nelson, whether they were consigned to an urn of common pottery, or to a grave of common earth, or to a tomb as magnificent as the long-fallen Mausoleum or as reverend and fame-preserving as Westminster Abbey?

"The care of funerals, the place of sepulture, and the pomp of obsequies," says St. Augustine, "are rather consolations to the living, than any benefit to the dead." "The place of our sepulture," says Tully, "is wholly to be contemned by us, but not to be neglected by our friends." It is the living who seek to magnify and adorn deaths and burials; either, like Ulysses and Nelson, to perpetuate their own names and memories, or like Artemisia, the widowed queen of Mausolus, to cherish and celebrate the remembrance of those who are departed. The sentiment is entirely human; and so common to humanity that it cannot be generally quenched; nor even individually smothered, unless by a wonderful effort of stoicism, or by that imbecile indifference which is insensible to natural emotions.

We all remember the strong and touching imprecation re-

corded on Shakspeare's stone in Avon Church against all such as should presume to touch his dust and bones; which is an expression of the natural feeling of living men respecting their unconscious and decaying remains, as if some tenderness and sensibility to exposure might still survive in them. We all participate in the horror and amazement provoked by that rage of a revolutionary rabble that ransacked and desecrated the venerable tombs of the Kings and Queens of France at St. Denis, and by that futile vindictiveness which robbed the grave of Cromwell to hang his skeleton on a shameful gallows, —more shameful to those who perpetrated such unnatural barbarity, than to him who had before been buried with a pomp and show exceeding the precedents of royalty.

Respect for the remains of the dead has prompted various modes for the final disposition of them; but the most natural and the most venerable of all is that of inhumation. Abraham, unwilling to accept the courtesy of those who freely offered him the choice of their sepulchres, to bury his dead, rather bought of them a field, with a cave in it, and all the trees that were in the field, for the burial of his dead, out of his sight; God Himself, it is solemnly recorded, buried Moses in a valley in the land of Moab, over against Beth-peor; and our Saviour was buried in a garden. It is also recorded of the elder Cyrus that "he gave command that his body should be interred, not laid in a coffin of gold or silver, but put into the earth, whence all living creatures receive birth and nourishment, and whither they must return." The venerable and pious Roman law-giver, Numa, preferred burial to burning; and it was a proud nobleman of a succeeding generation who made incremation and urn-burial fashionable. But our grandmother the earth, as Bacon affectionately calls her, notwithstanding the various customs of incineration, mummification, air-burial, and other arts of preservation of beloved remains, is the proper keeper and depository of them all; and the most general custom of all nations has prevailed in favor of committing dust to dust, and earth to earth, as we do at this day. The sentiment of Sir Thomas Browne seems to be the common sentiment of

civilized men,—“In vain do individuals hope for immortality, or any patent from oblivion, in preservations below the moon.” We rather avoid such preservations. We almost shudder at the slight show of preservation that is offered by the vault and the charnel house, and desire that we may obscurely moulder into the dust out of which we are obscurely made, as the most fitting end for that sort of beginning.

The whole earth, indeed, is a cemetery for the whole race of man, and for all created things animate; and the successive layers and formations of it are reputed to be the stratified relics and monuments of the various tribes of both, that have from time to time possessed it, according to their generations; animals first and man afterwards, in the generic order; and man, nowadays, professes the art of reading the hieroglyphics of nature that record the successive stages of her development and advancement to the present state of her existence. Think of the multitudinous generations of created and perishable beings, which have, during so many ages, crumbled to dust, and are repositied all over the surface of the globe,—how deep no one can guess, but at least as deep as the grave; so that when we lay out a place for our own burial, we only circumscribe a certain little portion of the ashes of our ancestors to hide ourselves in and to commingle with, until the great day of the examination of the whole world, when we shall all rise together, without confusion, in such a way as God pleases, and to such scenes of immortal life as He has not chosen to put it into the heart of man to conceive; to “such a state of affairs,” as Bishop Taylor expresses it, “as it is ten to one we shall find it wholly differing from all our opinions here, and that no man or sect hath guessed anything at all of it as it is.” The very spot where we stand, dedicating it to the purposes of sepulture, is likely the dust of tribes of men whose origin was a puzzle to themselves, and whose living remnants—the melancholy *Finis* and *Colophon* of a history without known *Preface* or *Beginning* this side of the *Deluge*—are scattered towards those regions of the setting sun, which, according to their old superstitions, they deem the nearest to the abode of the Great

Spirit, and to the mysterious Source and Centre of perpetual life.

For here and close hereabout lived, and died, and were buried generations incomputable and unrecorded of the aboriginal population of this country. Here and hereabout was the scene and centre of their great gatherings about the mysterious stone which had spontaneously followed their various migrations. Here in this picturesque and charming region of champaign and hill, of running stream and placid lake, resided a tribe famous as the first for council of all their hosts; the *Oni ot a-aug*, the children of the stone. Here is the spot where, more than a hundred years ago, they were first Christianized, hallowed by the still fresh memory of the early missionary labors of Kirkland, whose influence afterwards attached them to the side and to the succor of our revolutionary ancestors, and kept them faithful among the faithless. Here was the residence of the stalwart Christian chief, Skenandoa; —in his prime, the Agamemnon of the tribes,—in his declining years, their Nestor; “the aged hemlock, dead at the top, through whose branches had whistled the winds of a hundred winters”; and whose cenotaph ought to rise, tower-like, on the highest eminence of these inclosures, and most conspicuous of your monumental ornaments, although his dust lies a little distance hence beside that of his Christian brother, the veteran missionary whom he so much revered, and with whom he hoped to ascend to Heaven. Here, or of the same tribe, is said to have been born Logan, from whose cabin no white man ever went away hungry, and whose eloquence is on the tongue of every school boy. Here, just beyond the bounds of our vision, and near the famous old Council Grove, a few relics of which still stand, a little more than half a century ago, at this autumnal season, I was one of the witnesses of the consecration to God’s service of a chapel for the Oneidas to worship in; a solemn service, discharged with more than his noted earnestness and feeling by that Pauline Bishop, Hobart. The remembrance of the plaintive and most sweet voices that responded and chanted in their own tongue the glorious Liturgy

is one of the pleasantest and distinctest of my early days. That humble chapel, which for years adorned the slope where I first witnessed its consecration, has disappeared from its accustomed place, with those for whose service it was erected, and with those who were my companions, the famous Bishop, Judge Morris S. Miller, and my revered father, the official counsel of the Oneidas, in their tongue surnamed the "Upright Friend." This reminiscence I do not deem unworthy of this place and occasion; for all such reminiscences give interest and color to local scenes and their history.

You have selected, my friends, a beautiful rural site for the burying place of your generations, in a landscape varied and singular, as if some rushing mighty waters fiercely contending aforetime with their mountainous bounds and sentinels had suddenly retired discomfited, vengefully carrying away for spoil huge fragments and limbs of their stubborn enemy, which dropping from their relaxing and untenacious grasp, shaped into hills, and hillocks, and boulders to mark the successive stages of the wasting vigor of the floods, and of their sullen and reluctant retreat to the rivers and lakes and seas that now limit and restrain their rage and swelling. It is also a site famous for historical and traditional associations which time will make venerable. Its striking features should be treated with gentle touches of art. A rural cemetery implies a conformity with nature in the general disposition of grounds, of shrubbery, of trees, of water, avoiding a stiff conventional arrangement, such as the compactness of a city or of a town requires by way of sacrifice to the convenience of business or of throngs. But ruralness is not so absolute in its exigencies as that all the extreme particulars of nature shall be superstitiously preserved. True taste modifies and civilizes nature without effacing her real charms or beauties. It resolves an abrupt turn, a steep ascent, a rugged forest, into a gentle curve, a winding pathway, a shady picturesque grove: a rushing torrent it tames into a murmuring rivulet, a leaping cascade, a placid lakelet, a showering fountain. But it abhors straight walks of length, rectangular hedges, stiff inclosures,

and all the forced and artificial escarpments and *chevaux-de-frise* which give a military aspect to a graveyard, as if it were the rampart of the Church militant, instead of the peaceful resting place of the Church whose warfare is accomplished. There, we trust, lie the bodies of those who have already triumphed, and need no further show and semblance of defence or offence, no obvious exclusiveness from their fellow dead, no walls or bastions to protect them in God's Acre, where God makes no distinctions, but where

“Sceptre and Crown
Must tumble down,
And in the dust be level made
With the poor crooked scythe and spade.”

In a rural cemetery, such as this is proposed to be, there should prevail a rural simplicity, in all its arrangements and embellishments, its monuments and memorials; but no where are there so apt to be ostentatious and offensive departures from such simplicity. It is not necessarily a cheap and parsimonious simplicity; for the most costly monument may be the plainest, like the pyramids which embellish the desert. The first consideration in memorials of the dead, exposed to the vicissitudes of weather and time, and especially in such an inconstant climate as this, is durability. Deep and substantial foundations, strength of material, solidity of structure, are absolute necessities for encountering and resisting the force of the elements and the corrosions of time. Veneering and gilding will not suffice; nothing but solidity. The beauty of them must consist in form and proportion, rather than in those adornments of sculpture which embellish the fragile and delicate statuary suited for the temple or the private gallery, or even, in some propitious climes, for external exposure. But in orderly and well kept burial places, amid cleanly paths, trimmed shrubbery, and fitting landscape, the humblest stone or slab becomes ornamental, if adapted to the spirit and meaning of the place, and not made shocking by some violent breach of propriety, in shape, position, or inscription; or by

some offensive affectation of show and novelty, that betrays such a lack of instinctive taste and good feeling as requires some authoritative correction and restraint, which it happily lies in the legal power of a cemetery association to bestow, and which ought never to be spared from deference to wealth, or influence, or perverseness.

Much might be said, were this the occasion, respecting funerals and interments. The general advice of Bishop Taylor is pertinent, that "they should be after the manner of the country, and the laws of the place, and the dignity of the person." They are very apt, nowadays, to be conducted without much regard to some of these particulars, and especially are they conducted without regard to what the good Bishop means by the "dignity of the person." I have known the funeral of a dependent on the parish alms to be dressed out ostentatiously, with a plumed hearse, gloved bearers, and all the idle extravagances of a rich man's funeral, notwithstanding the remonstrances of the undertaker and of people of sense, against such a palpable inconsistency. It was the pride of relatives that exposed the memory of the dead to the criticism of all such as had been her almoners; who probably felt that the cost of so much posthumous vanity might have relieved the alms basin to the benefit of the living. It reminded me of Cowley's remarks upon a funeral which he witnessed—"There was much more cost bestowed than either the dead man, or indeed death itself, could deserve; much noise, much tumult, much magnificence, much vain glory; briefly, a great show, and yet after all this, but an ill-sight." It reminded me also of that saying of Sir Thomas Browne that "man is a noble animal, splendid in ashes, and pompous in the grave, solemnizing nativities and deaths with equal lustre, nor omitting ceremonies of bravery in the infamy of his nature." There may be nothing remarkable in this more than its quaintness, when we reflect that man's whole life in this world is but from grave to grave, and that both beginning and ending are of equal importance to himself. He springs from the quickening grave of the womb into this present life, which is a continuous dying,

to sink into another grave from which he is to rise, as from another womb, into a life which will be immortal; for, according to that glorious scripture of St. Paul, we cannot quicken again except we die.

"The resurrection," therefore, in the phrase of the *Religio Medici*, "is the life of the grave." The hope and belief of that it is which illumines our sepulchres—the humblest sod, the most ostentatious tomb—with cheerfulness; and it is proper to aid this sentiment, both in funerals and in cemeteries, by such sober embellishments of art and taste as are not discordant with that dainty melancholy that soothes the feelings of those who linger among graves, and love to indulge in those autumnal contemplations which beseem the place of graves. When Nature, as now, is divesting herself of her verdant garb to put on the russet and sombre raiment for her winter burial, in the certainty of a vernal resurrection, I think that every one of us is the better for an occasional hour spent in attuning his heart to a harmony with death, by ruminating among the tombs and memorials of those who have triumphed over mortality, and by their examples have taught us how to die. At such a time and in such a mood, the oldest graveyard, however rustic or dilapidated, however tottering its stones and monuments, has its resistless fascination, for any thoughtful mind, although it be a graveyard of strangers. The most uncouth lettering, and the most grotesque ornamentation, excuse themselves to our differing taste by their venerable years, by their quaint simplicity, or by the antique tokens they give of affections and remembrances akin to our own. I think no living man is ever the worse for a graveyard; and doubtless the souls of the virtuous departed are the happier and the better for it; for through that gate they make their joyful resurrection. It is their

" . . . port of rest from troublous toil,
The world's sweet inn from pain and wearisome turmoil."

We are assembled here, my friends, to devote in a formal way to the hallowed purposes of sepulture these grounds and

inclosures, so well fitted by nature and adapted by the hand of art, and to dedicate them to you and your posterity for the possession of a burying place forever. It is a sacred possession, secured from all incroachment and disturbance by solemn and especial guaranties of the law. Here no legal force can divest your rights; no writ can wrest them away; no municipality can disturb your graves by streets and thoroughfares; but once having an occupancy here, your slumbers can never be lawfully disturbed until the last trump shall arouse and summon you to that awful final process and judgment from which there can be no appeal and no escape. May you all know, in the language of the most poetical of Bishops and Divines, "how blessed a thing it is to die in God's favor, and to be chimed to your graves with the music of a good conscience."

LAST WILLS—UN SOUND MIND AND MEMORY.

(From the *American Journal of Insanity*, for October, 1868.)

THE force of a last will is wholly conventional. The moment a man dies, all his right to property dies with him. As he came into the world, so he goes out of it. Whatever he acquires from his birth to his death is his for possession, for maintenance, for enjoyment, for dutiful contribution and for free giving, as he goes along. It is at his disposal, so long as he lives to dispose of it. When he is dead, his natural powers and rights, whatever they may be, die with him, and "there an end." This is the state of the case simply and absolutely.

But man leaves behind him when he dies, not only all his possessions, but usually children, or parents, or brethren, who are either in a state of dependence upon him, or so intimately connected with him, that the first spontaneous suggestion of the social state is, that they should have the benefit of his industry and his acquisitions; and, therefore, the first custom or law of a social state is, that they, in a certain gradation of ties, and perhaps, too, because they are in the actual possession, should inherit and enjoy his property; children first, and, failing these, then the nearest of consanguinity. That there is a touch of natural and instinctive feeling in this, is witnessed by its universality, even amongst the most unconventional savage tribes. It is wholly independent of any expressed will or direction of the deceased person, or any attempt of his to regulate the descent or distribution of what he may leave behind him; but so strong is the presumption of such an instinctive intent of his, that, to this day, such a disposition is made by general usage or by positive law, in most civilized countries, in cases of intestacy, as the disposition which would

most surely accord with the wishes of an intestate, had he lived to express them.

The right to make a will, particularly one conflicting with this congenial sentiment, that shall have a posthumous vigor and be any wise obligatory, is, therefore, not a pure natural right. Possession, which was probably the first recognized right to anything, and is still claimed to be "nine points of the law," was commonly in favor of the family of a dying man; and nothing but superior force, in the primitive stages of society, could dispossess them. As there might be more than one descendant in such possession, the question would obviously arise which one should be *in loco parentis* and take the whole *relicta*, or whether all should take equally; or whether all the brothers alone; or the sisters equally or in some other proportion with them; or all the sisters alone; or the elder or the younger son, should take the whole, all being, at the death of the common ancestor, in common possession. The dispute which such doubts and rivalries would occasion, would naturally suggest to the possessor of property the idea of making some equitable disposition of it, to be effective after his death. He might, indeed, distribute it among them absolutely during his life time, by present gift; but then he would stand in King Lear's danger; for he might have unnatural sons and daughters, who, after getting his possessions, would oust him from the enjoyment of them, and reduce him to the nakedness of his birth, long before the natural period for the inevitable nakedness of his death.

As social states matured, various customs sprang up, and governments began to assume different forms, demanding differing rules to regulate the possession, ownership, transfer and inheritance of property. The rules also varied regarding rights to the soil, and rights to personal effects—to what was permanent, and to what was transitory. Without pursuing the history of these diversities, it is sufficient to say that, as a general custom or law, the property of the father of a family descended to one or more of his children, with certain possessory rights to a surviving wife; until, finally, the power of dis-

posing of property, at first the personal, and then the real, by a will of its owner, expressed more or less formally during his life time, became, in all civilized countries, a generally allowed and legal mode of conveying it.

But this power when finally conceded, was never without some restraints, the badges of its conventionality, and of its subservience to positive, rather than natural, law. Indeed it is, and always has been, (formerly more than now,) so various in various countries as to extinguish the idea of any instinctive feeling so prevalent and uniform as to confirm the theory of a natural right. In England, until Henry VIII, a man could not make a will of real estate, except by a clumsy evasion of the common law in the guise of a conveyance to uses; and in this country, the details of the law of inheritance and of wills differ sensibly in the several States; all concurring, however, in such a general preference of the family and descendants as goes far to countenance the conviction that inheritance is really more of a natural right than the right to make a will disturbing it.

Yet the power to make a will giving a different direction to the posthumous course and disposition of property, is of such long and universal allowance, that it is now almost as strong as if it were a natural right, like the right to breathe, or the right to work. "Is it not lawful for me to do what I will with mine own?" is a triumphant interrogation affirmative. Even natural rights, however, must, in the social state, submit to much clipping and shearing to make them decent or sufferable. We do not tolerate the natural right to go naked (except in ballets and bagnios), nor the natural right of a promiscuous intercourse of the sexes, nor the natural right, so claimed, of suffrage, nor the natural right of the strongest to appropriate whatever comes in his way; although it must be confessed that we are restiff under some of these restraints, and are prone to antiquate and cast off many respectable conventionalities, and much positive law, particularly if it be of the Decalogue; as if savage life were, after all, the only free life; and a state of nature, on the whole, the easiest, as it is the most slipshod, of human conditions.

The testamentary power thus being, for any binding force it has, the creature of the law, the legislature must be quite competent to modify and regulate it according to the exigencies and policy of the state; and, amongst other things, to prescribe what condition of mind shall exist to give effect to any declaration in the nature of a will, and what indications shall be deemed, on the whole, as evidence of the state of mind prescribed. It is quite its right to say that any will that overlooks the common claims of wife, children, or near relatives, shall be void; but such an oversight need not therefore be set down to the account of any unsoundness of mind or memory. It does say now, in some States, that no will made *in articulo mortis*, or within a given period next preceding death, shall be entirely valid if it gives to charities, or out of the family, more than one third or some other reasonable portion of the estate: it is a void will as to that particular devise or bequest; but this cannot be for unsoundness of mind, as that would taint the whole will, which is not the purpose of the law; but the purpose is to prevent a wrong to the family of the testator, and counteract the influence of superstitious or perverted feelings over him, at a moment when his faculties may be fluttered by apprehensions, or when he may be overpowered by vexing and pertinacious solicitations. It provides that a will, however sane a man may be, which is extorted from him, or which he is cheated into, or which he makes when drowned in his cups, and his memory is a "fume," as Macbeth expresses it, shall be deemed no will; that it shall not be valid, if it makes no provision whatever for his wife and children, unless they be otherwise sufficiently provided for; and all this, without any necessary impeachment of the testator's sanity. It is evident from the adjudged cases, that the struggle of the law is to thwart, on every possible ground, every testamentary disposition of property that unnaturally disregards the common claims of kindred; and, at the same time, to tolerate and sustain every free disposition of it that does not wholly evade those claims. The least decent acknowledgment of them preserves the vitality of a will that is otherwise sound; and if the testa-

tor have no such claimants on his good remembrance, an endowment for favorite horses, dogs, and cats, or for a hospital at Joppa or Jericho, or for almost any other odd purpose under the sun, (if not too much under the moon,) will not of itself impeach his testament as for unsoundness of disposing power.

The general right to make a will being conceded as a social necessity or convenience, most of the practical legal questions touching the validity of wills, aside from mere questions of form and technicality, respect the real soundness of the *mind and memory* of the testator. The cases embrace almost all the infinite vagaries of the human mind, ranging from the weakest imbecility to the most errant and extravagant fancies; and hardly one of them, from the simplest to the most complex, has escaped some sort of judicial criticism and settlement. Of course it is impossible that any inflexible rule or statute should be at once comprehensive and minute enough to meet all the equities of such a variety of cases, depending upon a just insight into the actual capacity and motives of ever-versatile human minds. They are better capable of being fairly settled, individually, as they arise. Some equitable and adjustable process is more likely to hit the truth of each case than any general constricted formula. It is doubtless a good general rule, and it is therefore a rule of positive law in most countries, that a man of unsound mind and memory is incapable of making a will. But the same positive law does not venture any farther with its absoluteness, perceiving the invincible difficulty of defining its terms; and the judicial tribunals are wisely left to construe, adapt, and apply it. The common law is more elastic for this purpose than any statute; and its adjudications, although often enough conflicting, are on the whole more satisfactory in the particular cases, than the Procrustean rule of a legislative act. The one considers each case by itself, and under its own distinctive lights and shadows; the other strikes a particular level, above and below which there are many cases that must be unceremoniously and arbitrarily gauged to the standard. The vagueness of the term "unsoundness of mind and memory" leaves room for

impeaching almost every testament made during sickness or weakness; and exposes the decision, in consequence of the uncertainty of the standard, to everlasting doubt as to its exact or even approximate justice. This is an inevitable infirmity of all human tribunals.

There are some hesitating and uncertain minds, wavering, as an apostle says, like a wave of the sea, that really never exactly know what their will is; and, after a formal testament is made, are by no means so satisfied that it is their real will, that they are quite willing that death should irrevocably seal it: it is difficult to say of them that they ever had a positive decided will of their own. Yet the usual formalities suffice to make the testaments of such persons valid: legal unsoundness of mind cannot be predicated of them. Others there are whose will is determined enough, and evident enough; but it is so perverse and unpliant, that whatever it has fixed upon cannot be swayed to any measure or terms of moderation, or what is commonly called reason: the mind so runs upon one purpose of partiality or prejudice, without any fair doubt of the mental power, or of the disposing mind and memory, that its will must stand for the law of that case, however unjust, and, to the common sense and feeling of men, however unreasonable.

So that the testaments of some sane men, as full of absurdity, and eccentricity, and unjust feeling as the testaments of some insane men, are legally valid, while the others are invalid: nay, the sanest wills of insane men stand no sort of chance with the insanest wills of sane men. It is one of those anomalies that betray the incompetency of human jurisprudence.

But although a broad rule of law may be a good and safe general maxim, and yet fail to meet all the cases within its sweep, thereby showing its practical deficiency; yet a principle of equity is allowed to step in and rescue strongly exceptional cases from the rule. Such is the case with wills; which, as to whatever touches the pith of them, (the intent of the testator,) and not the mere formalities of execution and publication, which equity does not presume to meddle with, are saved from

the grasp of a vague general provision by the construing and adapting powers of judicial tribunals; which convert into a graduated scale of Vernier minuteness what was designed to measure only in the gross of significant dimensions, without regard to the more or less of fractional parts. The law bravely disregards mere littleness: *de minimis non curat*. But equity condescends to minuteness for the purpose of getting at a man's intent and meaning in his particular act. Although equity has been usually regarded as a sort of distinct and side tribunal, complementary to the common law, yet the common law itself may claim for its chief merit both an expansible and a contractile power according to times and exigencies, adapting the spirit of a principle to the necessities of a case, without sacrificing the principle itself—a power which has in it the very germ of strict right and good conscience. Perhaps in nothing is this more observable than in the enforcing or the invalidating of wills. Each case of a will, is like each case of insanity, *sui generis*. There seems to have grown up a sort of concurrent jurisdiction, or, at least, a correspondence of purpose, in the various courts, to make wills efficient to the closest verge of palpable inefficiency; to infuse into early youth and preserve to the latest old age, the testamentary capacity and vigor, and to maintain it against all shadows and suspicions. By the common law, and under some of our statutes, infancy may make a good will long before it may make a good contract; and old age may do so after it becomes questionable whether its contract would be any longer valid. Until thirty years ago, in England, a boy of fourteen and a girl of twelve, might make a good will of personal estate; and a boy of eighteen and a girl of sixteen may still do so in the State of New York. Thus the testamentary capacity is of earlier maturity and of later decay than perhaps any other recognized legal faculty. The reason is, that a simple exercise of the will—the act of a single mind—requires less force and activity of the disposing power than the complexity of a bargain, where two or more minds must encounter, discuss, and conclude. The one implies a state of mental repose, conducive to

clearness of the faculties; the other, a state of mental conflict, conducive to excitement and doubt.

The usual coupling of the *memory* with the *mind* in the law phrase defining the disposing power necessary to give life to a will, is a somewhat striking and pregnant pleonasm, as if to give prominence to the memory as the distinctive faculty of the mind most necessary to the exercise of the power. It singles that out from the other faculties, as if human experience had shown that of all the mental traits the memory was the most significant, as well as the most uncertain, and therefore the most to be suspected and criticized. Macbeth calls it "that warder of the brain"; yet it often slumbers on the watch; and as a physiological truth, it is the first of the faculties to stagger and decay, without sensibly disturbing the equilibrium of the mind; while, when that is most disturbed, as by insanity, the memory is often the most active, the striking exception being in the case of *Dementia*. It is liable to various tricks and failings that are troublesome and perplexing, but many of which do not vitally touch the disposing capacity. If we say, in an absolute unlimited way, that a defective or "unsound" memory shall disqualify, we disqualify many men who, notwithstanding, are by daily acknowledgment, abundantly competent for all the common purposes of life and business. A man, for instance, may not be able to recall the name of his son Dick, when he wants to remember him in his will, but may still have a perfect recollection of his person and identity,—may have his true image in his mind and memory,—and be just as sure that it is that particular son he means to give his property to, as if no word but Dick were at his tongue's end. His intent is obvious enough, and any suggestive bystander can prompt the name, which he at once recognizes and pronounces, with a muttered anathema upon his own stupidity; and straightway forgets again. Dr. Johnson in his infantile petticoats could learn a collect in the prayer book before his mother could get up two flights of stairs; and yet he could, on occasion, forget the word "*fugaces*" in the familiar ode "*Posthume*." This he called a "strange

trick" of the memory; but it seems to be a favorite one. So a man may, with great vividness, recall particular scenes and events, and be utterly unable to recall dates and names coupled with them. So, one's memory may be perfectly unimpeachable, nay, particularly strong, on a favorite class of topics, and quite confused and at large on some or perhaps all others. It is a common accompaniment of senility that the memory of early and old events is bright and unequivocal, while that of nearer and fresher ones is indistinct or obliterated. In our presence, as we write, is a gentleman of seventy-six transacting his daily business with accuracy, whose competency to make a valid will no one would doubt; who forgets or confuses ordinary events of the day or the week before; and who daily asks some question which he asked yesterday, without being conscious of the repetition, until the answer arouses him to a mortifying recollection of it; and yet an event of ten years or forty years since is clear in his remembrance. He could, doubtless at this moment, without book or reference, specify the principal items of his estate, and dictate the disposition of it, with as much promptness and decision as he makes his entries in his ledger. An old poet says,

"none grow so old
Not to remember where they hid their gold";

which means that in matters of property and estate, the memory is long-lived and tenacious, and not so often impeachable as dissatisfied heirs and expectants would have us believe. Montaigne, with all his fertility of quotation, indicating at least a good memory of *ideas*, could not call his servants by their *names*, and says that he "has no memory at all"; which means no more, perhaps, than that he had so little that it took him "three hours to commit three verses"; it was of the slow, and not quite the sure sort. Waller often forgot his accustomed "grace," and even the Lord's Prayer. Boswell tells Johnson of a worthy gentleman who forgot his own name; which, (surmising that it was his own father,) was not very remarkable, inasmuch as it was written "Auchinleck" and

pronounced "Affleck," and might confuse a pretty strong memory; although Dr. Johnson thought it was a case of "morbid oblivion." But he also thought it was incredible that a man's mind should be weak at seventy, probably because he did not perceive any waning of his own. We have lately heard of a gentleman, a professor in a college, whom no one would suspect of "unsoundness" or "morbid oblivion," who, going to the post-office for his mail, when he got there, could not, with all his fingering of his forehead, give his name, and finally turned away in desperation to pick it up, by some chance, outside. Near the street door a gentleman met and saluted him by his *name*, and was surprised that he got no other acknowledgment than a hearty "Thank you—thank you," when his friend rushed rejoicing to the post-office box with his recovered cognomen, fearing it might wriggle out of his head again before he could bait with it for his letters. This reminds one of Newton viewing the remains of his chicken, which some kind friend had taken the liberty to pick clean while he was solving some intricate problem, (leaving what Berkeley might have not unaptly called "the ghost of a departed quantity,") and gravely exclaiming, "I thought I had not dined, but I find I was mistaken." These cases of absence of mind, or abstraction, are often confounded with positive defects of memory, especially when they arise from a torpidity or sluggishness of the brain that often accompanies a state of weakness or ill-health. Many a man never forgets a face, who often forgets the name that belongs to it. Cases might be abundantly accumulated to show how uncertain and vague the term "unsoundness of memory" is to measure the competency of men in their other faculties. Few memories after middle life are without a flaw; and the precise disqualifying grade of "unsoundness," is too variable for the just application of any general rule.

We once knew, attending an academy, a pupil of thirty years or more, whose advancement was far short of his age and his early opportunities. His story was that, during his boyhood, when fairly forward in his studies, he had a fit, or

a succession of fits, on recovering from which his memory was a perfect blank. He did not know the alphabet, and had to commence anew, at the very foot of the hill of science, and recover all his steps. A time came in his new progress when a portion of his old attainments flashed back upon him, and gave him a sudden lift. He was perhaps never of a strong mind; but when we knew him, a senior among juniors as regarded years, but a junior of the juniors as regarded school knowledge, he had a most wonderful memory, especially for numbers and for historical events. He would rattle off the whole course of American history and of Napoleon's campaigns, then fresh, giving days, years, events, and names with amazing readiness and the most positive certainty. He took part in the debates of a club, with some diffidence and hesitancy of speech, and was the infallible historical reference and index. He would repeat, with unerring correctness, fifteen or twenty of the most uncouth and unrecognizable words and names, on the bare sight of them, glancing over the list, turning the paper, and reciting his lesson as if it were a well conned page of the spelling book. Some years after, we met him as a teacher of a village school, where he was a favorite with his pupils, and gave satisfaction to their guardians. He was a simple man, somewhat short-witted, and somewhat eccentric, credulous, of mild and pliant temper, and showing evidently enough, by his inconsecutiveness of talk, some shattering of his faculties; but as for his memory, in the respects we have noted, it tended to a painful excess; a defect by way of superfluity, rather than of lack. Is such a man of sound mind and memory in law? We have read of a person who, after an attack of fever, permanently lost the knowledge of one of the letters of the alphabet. How far should that impeach the soundness of his memory for the making of a will? Respecting the seeming prostration of the faculties by a general paralysis, we know of a case of twenty years' standing, of a young man struck down to such a complete weakness that he had no power left to express a want except the motion of one eyelid, and so remained in a state of apparent idiocy or complete imbecility

for a considerable period; afterwards very gradually recovering his physical power, as shown first by a nod, then by a raised finger, then by a movement of a hand, and then by an imperfect tongue; and, what was more surprising, he afterwards assured us that during all this hopeless state of helplessness, his mind was undisturbed and as clear as ever; that, with a physical power of expressing himself, he could have dictated a letter of business, or directed the management of an affair, with the same readiness and intelligence that he ever could; that he had heard and observed all that was passing around him, and was conscious of the misapprehensions and blunders into which his physicians and nurses were deceived, and could have corrected much that was amiss in the management of his case. For aught that appears in his conversation and letters, (for although blindness has added its cloud, he still writes letters very intelligibly by mechanical aid,) his mind has maintained its natural vigor amid shocks that seemed at times to have prostrated every thing but mere vitality; and with the exception of one distressing and protracted turn of unremitting neuralgic pain in the head, when he would have welcomed death as a relief, he has been constantly cheerful and animated. Of course, during the period of his extreme prostration he could not have made a will, because he could not command any means of communicating and verifying it; but the incapacity was not of mind and memory—it was merely physical—a want of the power of signifying his will. When he had so far improved that he could nod assent, or communicate his wishes by pointing out letters with a pencil in his lips and thus laboriously spelling out words, and could perhaps attest a will by making his mark, although his mind and memory were abundant for a testamentary act, yet the legality of it, performed under such questionable conditions, would probably be contested. A man so wrecked is very apt to be considered as *incapax*, when, in truth, his wits may be brighter than ever, and his observing and reflecting powers sharpened to a keener edge, and concentrated, by seclusion and self-dependence, into unwonted strength. Such instances show that no common

rule is equitable: each case must stand by itself, and be judged by its own characteristics.

Many men who are not insane have a defective, a weak, or a confused memory. It is a point to be considered with reference to their capacity for doing or directing some particular thing, or for performing satisfactorily the duties of certain stations in private or public life. One may have wit and memory enough to bestow all his property on a grateful and kind daughter, cutting off an unfilial and reprobate son, without having sufficient of either of those qualities to enable him to comprehend a testament stuffed with devises over, contingent remainders, provisions to meet the possibility of issue extinct, and all the ingenious cobwebs of a lawyer's brain that some sane men put their hands and seals to as if they understood exactly what they were about; mainly trusting to the intelligence and good faith of their counsel, rather than to their own wits. Indeed, some wills of lawyers have not stood the test of a legal construction, verifying the adage that "whoso is his own counsel hath a fool for his client." So an imbecile mind may be too narrow to understand the nature and drift of some complex transaction, but can fully comprehend and direct a simple one. So many shrewd men may be puzzled to appreciate the relative values of property, considering the uncertainty of mediums of exchange and the fluctuations of value, and make their wills with a wonderful miscalculation of results: indeed, one who has been accustomed all his life to gauge values by a silver dollar, may, without any imputation of unsoundness, be excusable for some inability to gauge them by a greenback, and go marvellously wide of the prospective worth of a favorite corner lot, set aside for the rich provision of a minor child. To put such incompetencies and misjudgments as these on a footing with insanity, and allow them to invalidate wills, seems to be an unnecessary proposed innovation, and an unreasonable slur upon the testamentary capacity. Such are cases for courts and juries to judge of as they arise; and if such circumstances are really of force to impeach wills, let it be an inherent force of their own,

like that of fraud or undue influence, and not borrowed from a source of incapacity to which they are in no wise attributable, to wit, insanity; which has enough of its direct offspring to cover, without sparing a corner of its cloak to shelter all its putative cousins, or more distant and questionable relations. This is an error of some who urge general legislation on the subject of wills, making certain *indicia* positive disqualifications, as of the nature of insanity. Perhaps a wiser step of general legislation, and more to the root of the matter, would be to cut off and extirpate all testamentary power, except that of mere guardianship, and leave all estates to follow the laws of intestacy, as the most conformable to the innate sense of natural right. It would compel beneficence to do its good deeds in its life time; save a world of vexation, family discords and litigiousness; and hasten the millennium by a thousand years to all the world but lawyers. Besides, if no wills could be made, and all were compelled to die intestate, it would do away with a certain superstitious apprehension of death that is associated with last wills, and take the sting out of Lord Bacon's shrewd inference: "I gather that death is disagreeable to most citizens, because they commonly die intestate, this being a rule, that when their will is made, they think themselves nearer a grave than before."

Insanity seems to be regarded in two different lights by the law, as it is viewed from the criminal and the civil side. It is broad for a shelter against criminal charges, and narrow to cover evasions or breaches of the usual responsibilities of civil life. The thinnest cloud of unsoundness will sometimes obscure a criminal intent; but it may not cast the lightest shadow upon the ordinary transactions of business, not even upon the disposing capacity of a testator, unless his will be unusually odd or malevolent. Nor is it a distinction without a difference, psychologically, as well as legally. The same mind may, in a state of repose, quietly order the daily routine of affairs, and consider sensibly of the disposition of property, that will be put beside itself and lashed to frenzy by some inauspicious provocation or disturbance. Its equanimity is

perfect in a calm, but wholly wrecked by a tempest, which is the only real test of it as a virtue of any particular value.

*"Rebus angustis, animosus atque
Fortis appare."*

is the rule of an even mind. The ordinary business of life is not conducted in a whirl of excitement; but crimes, and insanity too, are often the offspring of it. Thus for invalidating a testament, which is usually the long-cogitated and composed act of a thoughtful man, a greater suspicion or proof of unsoundness is commonly requisite than for shielding against punishable offences. Even a man under actual guardianship, as one of discomposed mind, may make, in a clear, lucid interval, a valid will; the guardianship only serving to change the burthen of the proof from one side to the other. A lucid interval restores a man to his rights of sanity, and needs only to be proved when it cannot technically be presumed. If in a fit of passion, or of sourness and impatience, a man makes an absurd will, which in a better mood he would readily cancel, yet the law, on existing general principles, would uphold it; for it is not its province, nor is it within its power, to regulate men's tempers, their partialities, or their prejudices, or the unbecoming or spiteful displays of them, if they be short of criminal. Yet it goes farther, perhaps, in the assumption of such a power in the matter of construing wills, so as to make them conformable to equity and good conscience, and to give effect to what might be presumed to be a reasonable intent of a testator, than in any other attempt to exercise it. It so construes inconsistent, or conflicting, or dubious clauses of such instruments, as to make effective some obvious, or natural, or seeming, or reasonable intent of a testator, without presuming to make his will for him, or to go directly in the teeth of its positive provisions; which, if they are intolerably bad, it will rather stretch its conscience to set them aside entirely, on any sufficient show of imbecility, or fraud, or undue influence, or delusion, or some constructive or inferential unsoundness of mind and memory. The adjudged cases

sufficiently show this tendency, although it may be rather lurking than avowed.

It has been made a question how far a will executed in a conceded lucid interval, when the faculties have, for the time being, apparently resumed their original brightness, is tainted by a chronic or recurring state of unsoundness of the mental condition of a testator. The writ *de lunatico* was always careful to require an inquisition to be made as to the lucid intervals of an alleged lunatic; because lucid intervals restored him to all the rights of sanity and covered his lawful acts; at the same time, they made him amenable to responsibility for those which were unlawful. But such writs were usually resorted to for protecting a man in regard to his property, and his civil rights and obligations, against his own mismanagement or incompetency, and not in regard to any criminal violations of duty. The purpose was to place him under legal guardianship, that no advantage might be taken of his wretched weakness; not that he should be restrained of his liberty of person, or of action, during any intervals of his restored strength of mind. It was considered that a man's faculties might brighten as sharply out of the obscurity of insanity, as the moon suddenly casts a pure glance out of the broken nebulae of a ruffled sky. There is no doubt of the transitory reality and clearness of either; but as the moonbeam might disappear in a passing occultation of a cloud, so might the lucid interval, in a returning confusion and shadow of the mind. A will made in such an interval, of sufficient duration to test its reality, should, on general principles, be as valid, as one made in a temporary cloud of insanity should be invalid. Martin Luther had his clouds, so had Cowper his, and Mary Lamb hers; but the long intervals of brightness were of a transcendent character in all; of unequal continuance, indeed, but of unequivocal reality. Still, it is a nice psychological question, and Lord Brougham made it a legal one, whether a mind once tainted does ever positively recover its normal strength and health; whether there must not always remain such a real or presumptive suspicion of unsoundness, as to

make it unsafe for the law to pronounce an absolute lucidness, and act upon that assumption. The law, however, practically answers the point, by measuring a man's capacity, not absolutely, but relatively; it inquires as to its sufficiency for any particular questioned act, and resorts to all tests, general and special, that may shed light upon it; and is content if it be the act of a mind competent to do it, whatever its incompetency to do other acts. A man may make a will, but may not be quite equal to making a bargain. He may intelligently do acts, after a long accustomed mode, and in a familiar routine of duty, which another man, of greater general intelligence and power of mind, might not do half so well, nor with equal judgment. Newton, with all his science, could not tell when a shower was pending, as well as the shepherd's boy, who saw the sure sign of it in the wagging of the black ram's tail; and trusting to his science, rather than to the boy's observation, and the ram's instinct, was deservedly ducked, in the boy's estimation, for lacking common sense about common things. A jury of shepherds would probably have pronounced against his capacity to make a will; as a jury of farmers lately disagreed about the wits of an octogenary neighbor, because he allowed a buckwheat field to grow up to an incipient pine forest of great prospective value, contrary to the current practice of good husbandry in that neighborhood; and sacrificed the present enjoyment of morning pancakes, to gratify the third and fourth generation with the rich results of a spontaneous growth of logs worth fifty or sixty dollars a thousand feet of board-measure.

On the whole, we are inclined to the opinion, that any attempt to define, with a pretence to psychological precision, the tokens or circumstances which ought absolutely to govern the adjudication of the validity of last wills, in respect of mental capacity, will fail of its purpose. A few approximate general principles must suffice for common application. In criminal cases, involving questions of insanity, the firmest and strictest definition is the best, although dogmatic, because it is the most merciful; in civil and equitable cases, much must

be left, somewhat loosely, to judicial discretion, and the force of concurring precedents. That degree of unsoundness of mind which incapacitates a particular person under particular circumstances, does not necessarily incapacitate every other person under the same seeming circumstances. It is a question of fact which should be left, in all disputed cases, to a jury of the vicinage, who although they are liable to be swayed, as perhaps they ought, by the prevailing sense and judgment of the community which is cognizant of the matter, will usually, under suitable judicial instruction, be also swayed to hit near the truth in their verdict. The will of a conceded lunatic may, in itself, betray no mark of the unsoundness of the mind that dictated it; for lunatics are not necessarily lunatic at all points; and the consideration of a grave purpose may concentrate their wandering wits into rationality. Often a sane man may make a will, while in a temporary haze, which does not affect his general capacity, and which only dims his mind on some subject that has nothing whatever to do with what he is about. Such a haze might properly enough shelter him if he were charged with a crime about which it had confused him; but his civil acts are not compromised by it, unless they are obviously done under its shadow. Respecting the question of undue influence, it is not always, or of consequence, connected with legal unsoundness of mind and memory. Nor does mere weakness of intellect incapacitate; and yet weak intellects, far enough from proper insanity, are liable to be touched by superstition and by sinister influences; as conceded strong intellects often are by exalted notions and ambitious imaginations. A perfectly sane man may, from a desire for posthumous distinction, or for ostentatious liberality, or for simply preserving his name and memory, or possibly to soothe a gnawing conscience, dispose of a large estate in the founding and endowing of charities, to the distress or destitution of a family that naturally has superior claims; and yet such a disposition would not be impeachable as an act performed under undue influence. There are many cases of notoriously unjust and improvident present dispositions of

property made by living men, by way of gift and lavishness, which the law does not pretend to supervise or regulate; then why should we expect to supervise or regulate the like testamentary disposition of it? We may say of a man, as we often do, that he is wasting his means, like a madman or a fool, in gaming or riotous living, or even in famous charities, that impoverish him; but we cannot restrain him, without a presumptuous interference with his liberty of action: then why should we expect to follow him beyond the grave, and criticize his posthumous squanderings and charities? Many a man is impeached of fatuity or undue influence, after his death, upon the mere footing of his last will, whom, living, no one would venture to impeach for any action of his life. But when the soul that animates the unfortunate testament no longer animates the body of the testator, it is also no more respected or considered than the poor remains it once vivified; but is straightway assailed, impeached, doubted, scandalized, and insulted, as having lacked, in the most solemn act of life, all the discretion, affection, good judgment, foresight, and other commendable qualities, that once adorned the conduct, and are probably now blazoned on the monument, of the weak and deluded man who turned up a dark and unknown side of his character when he made such a will; disappointing so many expectants; and compelling, perhaps, his own offspring to depend, as better than all inheritance, on their industry and resources, as he himself had depended on his.

Last wills have been a prolific cause of imputed insanity. Many excellent people have gone with tainted memories among their posterity, on account of the most deliberate and conscientious act of their lives; who, if they had had the supreme wisdom to die intestate, might have slept quietly in their graves without ungrateful reminiscences. "Unsound minds and memories" have come to light on the reading of a testament, that were never suspected to exist before; and rarely has a large estate been bequeathed or devised, without arousing a doubt that the unfortunate deceased possessor of it, must, at one time or another, especially when he was acting

in the presence of chosen witnesses, and making a solemn declaration of his final purposes, have been beside himself, or unduly influenced by some sinister relative or friend. It is a melancholy and humiliating reflection on which to pause and ponder.

CAPAX OR INCAPAX?

AN issue of a singular character was lately tried in Fulton County, New York. *Antiquus*, so to call him for our purpose, is a man of eighty-two years and more, possessed in fee of a farm of three hundred and thirty acres, worth at least ten thousand dollars on a sworn valuation. He chooses to live in a secluded, ragged, and dirty way; keeping his own domicile, —a sorry specimen of housewifery; sitting alone by his own hearth-stone; reading or thinking himself to sleep in his paternal arm-chair; and tumbling out occasionally, to the hazard of his person, when he becomes somewhat somnolent over a tough chapter of the Apocalypse, which is the main study and solace of his declining years. Thus living, and like a celebrated literary worthy, “having neither wife nor children, good or bad, to provide for,” a grand-nephew of his not long since took it into his head to suspect that *Antiquus* was allowing his affairs to get into a bad way, to the future detriment of the inheritance; which, as he was interested, in case of intestacy, to the valuable fraction of one-seventieth part, he naturally thought might be better cared for under his own or other guardianship. So he applied for an inquisition to ascertain whether his venerable relation was *capax* or *incapax*, —in the words of the writ, “incapable of managing himself and his affairs.” The County Judge—after an unsatisfactory inquisition in the common mode, wherein, out of twenty-four jurors summoned, one was lacking, and only twelve out of the twenty-three signed the return, eleven refusing—ordered a proper issue to be made, and due notice to be given for the trial of it, before a petty jury drawn from the general list of the whole county. As *Antiquus* had always managed his own

affairs after his own mind and fashion, with a success and gain satisfactory to himself; and as he thought he was well enough to do in the world; he naturally felt indignant that, with all his experience, he should be called in question, at his time of life, by a young aspirant to part of his wealth, as to his ability to do so a little while longer; probably intending not to end his days short of the hereditary period of one hundred and four years, which the paternal example authorized him to expect. So, being advised of the proposed proceeding, and determined to shun all observation of himself or his affairs, he stuck a case-knife firmly over his door-latch, and thus fortified his secluded dwelling against all inquisitive approaches.

As it was deemed important by his persecutors that suitable medical evidence should be had to justify their proceedings, an expert doctor was invited to make a personal examination of the recusant old man. With a little posse, this expert ventured to the rustic castle of *Antiquus*, (every man's cottage is his castle, by the gracious courtesy of the common law and Lord Chatham,) which he found duly barred and bolted; but no warder was in attendance to be summoned. After various ingenious and fruitless attempts at a parley, the earnest expert finally succeeded in effecting a forcible entrance,—a pious burglary of the second or third degree, strictly amenable to the statute,—by thrusting his arm through a window, and with a rake, or other offensive long-reaching weapon, detaching the protecting case-knife, on the strength of which, and of the law, *Antiquus* so vainly depended. He found *Antiquus* in a very rudimental condition; stealing out, half-clad, from the shelter of an antique hereditary clock, which, having been his hiding place and protection in his freaks of childhood, he had naturally fled to as a friendly refuge in his declining years. A glance at him and his plight, at once satisfied his obtruding visitors of his lack of competency and common sense; for how could a man with sufficient means for the enjoyment of life like other folks, choose to live as he was living, an eremite for seclusion, rags, and dirt, and an anchorite for larder? It was clean against reason that any one should so live at any time since the

middle ages, and be sound of wits; therefore he was unsound, and, in the meaning of the propounded issue, incapable of managing himself and his affairs.

Such was the foregone conclusion; but when the matter was laid before the jury on the trial of the issue, it was more serious and complicated. It appeared that the old man, with all his oddities and peculiar notions, had mainly managed his property in a thrifty enough way, although not sufficiently so to take a first prize at an agricultural fair; and perhaps a shade worse than the ordinary way of an independent farmer who chooses to regulate his own rotation of crops, and make his own market, good or bad. It was evidently proved that, for a few years past, he had allowed his fences to go down, his out-houses to tumble, some of his premises to lie fallow, and some even to grow up into a diminutive forest of thrifty pines; shrewdly calculating that he could live a few years without buckwheat, and gain his advantage in a future plentiful crop of timber, the profits of which, at his father's allowance of years and his own rate of living, he might himself enjoy. He had perhaps heard of the broad acres which Chatham had set out with cedars, and of the larches which Sir Walter Scott and some Scotch dukes and lairds had planted for the benefit of posterity; and remembered the sage advice, "When you have nothing else to do, Jock, be aye sticking in a tree—it will grow while you're sleeping." So his pine trees would grow, while he was disabled, by rheumatism and years, from handling his plow and reaping his crops, and was unravelling the mysteries of St. John. Probably he had heard or read of the awful extravagance of this generation in the wanton waste of timber, and how profitable it might be to let young trees sprout up and grow to repair it. Such ideas sometimes stimulate men of foresight to do what a short-sighted neighborhood, and anxious grand-nephews, and heirs expectant, consider as very odd things. The most that could be positively said against *Antiquus* was that he was rheumatic, tattered, dirty, and old; that he suffered pines and firs to usurp his buckwheat fields; that he was self-denying in the matter of meats and drinks, in

consequence of a great constitutional dread of high living; that he did not belong to any church, having a private religion of his own; had been driven, by some pestilent and unfortunate litigious experience, to study his Bible, without note or comment; and had, like a great many learned, sincere, and conscientious men, queer notions about the Book of Revelation and what St. Jude said; considering that they prophesied confused times which men should be looking out for, and providing against;—especially that they prognosticated the great War of the Rebellion in this country, which he doubtless thought was enough of Armageddon for his day and generation.

But the singularity of *Antiquus* was fully matched by the odd evidence given by his grand-nephew, a licensed doctor of medicine, on the subject of incompetency and unsoundness, of which we shall give a few specimens from original memoranda of the trial.

Before we do this, however, it is well to state, that it appears from the testimony, that *Antiquus* had for some years lodged with two antique brothers, in one room of the family homestead, all without wives or families; that both of the venerable brothers had died at a good old age, refusing utterly all medical aid; preferring to take death in the natural way, without any obstinate and futile resistance; and that *Antiquus*, during a long survivorship, had kept up the unfinished domicile, all alone, after the old slovenly fashion. He boiled dry unhulled corn for his victuals; kept rusty pork in his barrel for giving it a savor; went barefoot and coatless, just like Socrates; slept between two foul feather-beds; and rarely graced society with his presence. When he received calls from his friends, he did not dress up and adorn for the occasion, and showed no signs of satisfaction with the compliment; but rather was gruff and bearish, as if they were not quite welcome. When disposed to be pleasant, his chief conversation seems to have been scriptural, and, especially, apocalyptic and prophetic, after the manner of eremites and secluded or banished evangelists. His one room of a wide forlorn house was devoted to all his domestic purposes; being his parlor, his store-room,

his kitchen, his bed-room, and his sanctum. Here he spent his lonely days and nights, dreaming away the one, and sleeping away the other. In short, in his mature years of fourscore, he realized that delightful state which so enchanted Pope at the green age of twelve:

“Happy the man whose wish and care
A few paternal acres bound,
Content to breathe his native air
In his own ground.”

He sold timber trees for an income, like a noble lord; but he did not mortgage the soil that bore them, like a noble lord. He was free from debt, and had money in bank, and in his purse. He and his brothers had made one unfortunate investment of their moneys in a promissory note for ten years, without interest, for which was finally substituted another note of another man more promissory still, which was eventually discharged by a distressing compromise at the rate of five or ten cents on the dollar. This, of course, satisfied him, by logical deduction, that all men were rascals; and when appealed to to confide his affairs to his grand-nephew, or somebody, he expressed his preference for the particular man who had cheated him; saying shrewdly to his grand-nephew, with significant directness and a profound knowledge of human nature, that he had rather trust a rogue than a fool; but on the whole he declined to trust anybody, and resolutely insisted upon his grand natural right of conducting his affairs himself.

Medicus, the grand-nephew, on his examination as a witness to sustain the inquisition, was pressed somewhat by the inquisitiveness of counsel, and the necessity of enlightening the court and jury, to display his theories of unsoundness and imbecility of mind as applicable to the case in hand; and he made them most exactly pertinent; forming a satisfactory general theory by severe induction from one special case which was the whole of his experience,—a fractional part of the Baconian method very much corresponding to the fractional part of his possible future interest in the estate of *Antiquus*.

About sixteen years before the trial of the inquisition, *Medicus* had visited his grand-uncle, with whom then lived his aged brother John, another brother William having died a few days before, in advanced years. After observing their mode of life and management of affairs, he testifies:

"I concluded, that there was unsoundness of mind and a weak intellect in Stephen (*Antiquus*). I took into consideration, viz.: (1.) their allowing William (the brother) to lie sick and die; (2.) John had gangrened legs, and they refused to have a physician; (3.) the Irishman [a drunken fellow] was living on the place, and they mentioned the fact of his inefficiency and depredations. I regarded that as weakness of mind [not dismissing him]; (4.) John had a strange way of not talking—don't know that he spoke much during the week; (5.) the barns falling down—Stephen told me that one had disappeared; (6.) a field of 40 acres was overgrown with young pines; (7.) fences gone; (8.) the hay in the barn was stock for the cattle of the whole neighborhood; (9.) one neighbor brought in food, and Stephen said he was a little afraid of high-living—he liked plain living. I think that is an evidence of aberration of intellect. The fact that John had gangrene, and Stephen made no provision for it, is evidence of unsoundness, and when men show want of humanity and sympathy, it is an unsoundness of mind. I offered medical aid and they would not take it—John was over 80 at that time. The fact that Stephen would have the Irishman live there, shows an unsoundness of mind. I regard it more than negligence on his part. The power of mind was deficient in some extent. The barn falling down I regard as a weak state of intellect. The field of 40 acres of young pines is an evidence of unsoundness of mind—letting the cattle run on the hay is evidence of weak intellect. The lack of executive talent is evidence of unsoundness of mind."

On a subsequent visit in 1868, about the time the proceedings in the case were instituted, *Medicus* testifies:

"Stephen said he was very feeble—had not been out all winter. He said he had been studying prophecy a good deal, and that the Rebellion was prophesied fully in the Revelation—the seven plagues were represented. He found that the world was about coming to

an end. I asked him if he did not want something done in reference to his property. There was nothing more said—he would not listen to any thing in reference to it. This conversation on the prophecy I regarded as a slight aberration of mind. His saying [on another occasion] that he was willing to submit the care of this proceeding to Stewart [who had given the long-winded note] was in my judgment an evidence of insanity and incompetence. If he had proposed to take the matter from Stewart and give it to me, it would not in itself have been an evidence of sanity or insanity. Stephen has a good memory of old and recent events. I don't think it a remarkably good memory—it is ordinarily good. He talks intelligently on most subjects—on all subjects but revelation. I don't claim that he has ever made an incoherent or wild statement about any thing.” *By counsel*: “What is dementia?” “It is a giving out of the mental faculties. There is a partial and complete dementia—there is senile dementia. This is a case of dementia.” “What are the evidences of dementia?” “(1.) Neglect of one's own person—great filthiness. If a man has lived all his life in filthiness—is unusually filthy—he is of weak mind. (2.) Want of appreciation of value and care of his property. If he does now, as he has always done in this respect, I should say he has always been demented. If a man is physically debilitated, and allows for years his property to become unproductive, he is demented. If a man allows his property to grow up with timber he is demented—he has no will-power. Stephen has seen his property go to waste and has taken no steps to prevent it—therefore he is imbecile. Slovenliness may account for this. (3.) His employing men who have attempted to defraud him. There are all the evidences of dementia in his case. Complete dementia is always attended with loss of memory. This is the most common evidence, and a common evidence of partial dementia. Making wild and incoherent remarks is another; so passion, and tendency to rave and become excited. Another evidence is inability to understand what is going on in the neighborhood. Stephen shows none of these symptoms. He seemed to understand about the war, but to connect it with prophecy. I know of nothing of which he talks incoherently, unintelligently, or incomprehensibly. I never importuned Stephen to let me take charge of his property. I form my conclusion as to his insanity from no one circumstance—from all combined. His spirit of prophecy is to me an evidence of imbecility—this seems

to me an absorbing subject. I lay no particular stress upon his propensity to prophecy. There is a great diversity in the indications of unsoundness. There are many degrees of unsoundness. When I see property of several hundred acres with no care taken of it—the buildings all going to ruin—cattle driven off and timber taken off year after year,—I regard it as undoubted evidence of mental weakness. When a man lives in bad condition, it is additional evidence.”

After recapitulating the evidences of dementia in the case, *Medicus* testifies:—

“The chief evidence in enabling me to make up my mind is his want of volition in not removing his drunken tenant. I have no other reason. I know of no other thing or act. I have not made lunacy a specialty. I claim no extraordinary capacity or knowledge in that regard. Stephen lives now, as he and his brothers lived twenty years ago.”

It is a little remarkable that all the testimony of experts should come from the same mint—the New York State Lunatic Asylum,—which seems to have different dies; a circumstance which places this Journal, aiming at entire impartiality, in a somewhat perplexing position: as a relief from which we translate from the original hieroglyphics the evidence of both, and leave it to our readers, as the Court left it to the jury, with perhaps an equal chance of disagreement.

After the testimony of several neighbors was given, Dr. Louis A. Tourtellot was sworn, who said, substantially:—

“I am a physician of about fourteen years standing, and have made the subject of insanity and diseases of the mind a specialty. Have been connected with the State Asylum, at Utica, eight or nine years. Have had considerable experience in the treatment of insane persons and those of diseased mind. Have had experience outside, and am familiar with the subject. I came here by request to make an examination of this case. The first examination was made with Drs. Diefendorf and Robb, of Amsterdam. Morgan took me out from here Monday afternoon, at three o'clock; arrived at the place about five o'clock, went into the house, took the door at the

left, and found a couple of children and women; the door of the room was locked or secured; I rapped loudly at the door,—got no answer—repeated the rap,—no answer; remained an hour perhaps, and about as we were thinking to go away, I went up to the window and tried to look through it—it was filthy. I looked in and saw a bed, and I thought I saw a man rolled up—did not see his head nor his heels. I raised the window, and looked in, and did not see him. The other doctor looked in and did not see him. I took a hoe or rake, thrust it to the door, and removed a case-knife from the door, went in, and saw the old man come out from the clock. He shook hands with Morgan and me, and we sat down in a chair on the hearth, and had a conversation of about an hour. I can't give a sufficient idea of the room. The air was close and offensive to the last degree. Every thing about the room was filthy; it was occupied with chests, farm implements, household furniture, and fermenting grain. The hearth was heaped up with ashes; the bed-clothes so filthy you would not know whether they were sheets or blankets. It was not suitable to health or life to live in it. He had on a shirt and pair of trousers, both extremely filthy and stinking—no shoes or stockings on. You could scratch off the dirt in scales. Don't remember about his face and neck. He looks now like another man. I and two other physicians sat down, and I asked him some questions. I asked what was the reason he had not reported at the door. He said he did not want to be a witness. I examined him with an eye to see how much intellect he had. I asked him how long he had lived, and who were his relations. I have not his precise answers, but it struck me he was quite precise on events long ago, and those that interested him. I asked him about political matters. He said he did not care much about them. I asked him who the candidates were; he said Grant and Seymour. Asked him about his religion—he had no preferences: as to his interest in his relations—he did not feel much interest in them—did not believe in them—the world was evil—did not trust them. He believed in the foresight of things—that his mother's spirit had manifested itself to him. In regard to Scripture, he was not particularly interested in Scripture—one church was as good as another. He was very suspicious of all his friends—thought they wanted him for a witness, and hid behind the clock. I asked him why he did not get a woman to take care of his room:—he said he could not get a woman,—it would not be profitable, and he

distrusted them: I can't give his words. I asked him what experience he had as a witness. He said he had had a suit, and had eight witnesses out of thirteen; and if he had had fourteen, he would have won the suit. . . . He did not comprehend quickly. In some question I asked him why he lived so. He said he could not help it. There seemed to be that incapacity of will common in old men. While there, a neighbor came in and wanted to know if he had any hay to cut. He said he might look around, and if he found any he might have it. Then how it was to be cut—on shares? Yes. It was agreed to be so; his share to be cocked up on the ground. There was a lack of active will. I have seen him here, and conversed with him—conversed on the Revelation. He said he believed in Revelation, and went off on that—I could not make his talk hang together, and I stopped him, and he answered a little more coherently. I asked how he came to study Revelation. He said he had study in law, and took Revelation to see what the world was coming to. It seemed plain to him, and is plain to him yet. . . . I have heard the testimony in this case. I observed his general manner all this time, as is usual in examinations. From my various examinations, and what I have seen, and the testimony, I think he is not of sound mind. I should think from the evidence, which is somewhat incomplete, that he is a partial imbecile; and he is growing old, age has weakened his mind, so that there might be a senile insanity added to imbecility. By imbecility I mean a degree of weakness coming on birth which comes short of idiocy. There are different degrees of this. No one imbecility is like another. Some manifest it through the feelings, some through the instincts, and some through the actions. I discovered here the want of active will. I mean by want of active will, an incompetency to originate—to begin to take new steps. . . . The want of active will would be likely to show itself in an aversion to business, to changes, and in an incapacity for business. From my examinations and what I have heard, I think he is incompetent to manage himself and his estate. I think it not safe to himself and his estate to allow him to do so. Acts of a party are an evidence of his state of mind. There may be unsoundness of mind without there being insanity. Unsoundness of mind in its general sense would correspond to a certain degree of weakness of mind. There may be a state of unsound mind, where some of the faculties seem strong; they will be affected through it, but will

show it more in others. Some may be very bright in some points and not in others. Sometimes experts in insanity may find it difficult to detect insanity when it does exist in reality, and the party has not manifested it markedly. I think it is not safe to leave that form to develop itself suddenly. There may be some cases under the general head of insanity where some of the faculties may be bright, and there is a lack of will-power. Where there is a lack of will-power, a man is liable to come under the control of designing persons. They are subject to be easily imposed upon. If one man succeeds in getting control over another he can do any thing. Often a stranger succeeds more than relatives and friends—there is a lack of feeling as well as a lack of will-power. I discovered that in this case. . . . I derive my opinion from a combination of all the facts and circumstances, instead of from a single one. It is necessary to have the history, the habits, and the way of life, particularly of one under inquiry for weakness of mind. A case like the present ought not to be decided without knowing all the circumstances. One might make sharp bargains, and yet be incapable in the business of ordinary life,—the business he follows. Selling timber at a good price would not make any difference. I don't think there is any phrase for the definition of imbecility—any other word that will make it any more plain. *Eccentricity* sometimes characterizes it. Imbecility is *congenital*, or arising in early youth. It applies, in common parlance, to all weakness. There is such a phase as senile dementia, that comes on in adult life, usually after an attack of insanity. A firm mind becoming weak, or giving way from no apparent cause, is dementia. It sometimes arises from a giving way without an attack of insanity. . . . Senile dementia is the gradual breaking down of the intellect from old age. Senile insanity is the same thing, but a larger phase—includes more. When partial dementia or imbecility exists, old age tends to increase it. An imbecile is more likely to be insane in old age, or in the course of his life, than one not imbecile—there will be more dementia as he grows old. In deciding on the mental condition of a man, it is necessary to consider his physical condition. Timidity is a usual manifestation of imbecility. Seclusion is a common symptom, and a desire to be alone. A tendency to filthiness is a common characteristic; so is unthrift, carelessness, want of interest in pecuniary matters. There are cases of imbecility where persons will converse intelligently on some matters, and

exhibit considerable intellect. Some imbeciles have shown a great degree of aptitude of performing certain acts and learning certain things, as adding up columns of figures and performing on instruments. Some may show such aptness, and yet be very deficient in will-power and the common feelings of humanity. His conduct and way of managing his affairs afford evidence of his imbecility, and in case of a want of capacity, worth more than the oral examination. The fact that a man that has property and allows it to go on and waste from year to year, I regard as one evidence of imbecility—it would form much by itself alone. If he also lives filthily, it adds considerably to the evidence.”

On a cross-examination Dr. Tourtellot said:—

“He is mentally unsound in my opinion—that is all I have to say in respect of his feelings and want of will-power, also partially in respect of his intellect. I come to this conclusion from what I have seen and heard of him and the testimony here. There is something in his looks that indicates mental weakness from old age—or weakness of mind. I can’t describe it. I think the whole look indicates that weakness. He is unsound of mind in regard to his *feelings*—his timidity, unwillingness to be seen, not opening the door, and hiding behind the clock. If he had been told not to see any body or let any body in, that would explain it. When we got in he did not appear to be timid. He said he did not wish to come here and be picked at—whereas a man of sound mind would be anxious to come forward and be examined. He said he supposed his connections wished him to die. I asked him why he did not get a woman—he said it would be unprofitable. I asked him what form of religion he preferred—he said he did not prefer any form—did not think much about religion or religious affairs—he said substantially, ‘I don’t know as I have any spiritual interest in religious matters.’ It was the same of political matters. About his farming interests, he said to the young man who asked him if he had any hay to cut, ‘I don’t know—if there is any that is worth cutting you can cut it.’ The young man asked how he should cut it. He said he did not know. ‘On shares?’ Yes.—His half of the hay was to be cocked up in the field—I don’t know which one proposed that, but it was so agreed. I thought it showed a listlessness and want of concern in his business.—His *want of will-power* is shown in

fastening his door, and when we got in, in not ordering us out. If he had ordered me out I should not have seen any evidence of a want of will-power in that instance. Morgan [a constable or police officer] went in first—I heard nothing said—no ordering out. I can't give his response to my question why he lived in that way—the substance of it was that he did not know, it was his inclination. It was an evasive and empty answer. He said he had not been out more than one rod since he was here last April. That was some evidence of want of will-power. I saw him walk across the floor from the clock to the fire-place, and he walked as quickly as I ordinarily walk. He said he had been very healthy in early life—spoke of particular years—he had enjoyed very good health—a number of years he had the rheumatism. He varied his language—and went back and enlarged upon how very healthy he had been. His *intellect* is weak in certain portions. I asked him what he was afraid of, or what he did not wish to see. He said he did not wish to be brought here as a witness and picked at. . . . He said he believed in foresight—that he had heard the voice of his mother calling to him when out of doors—calling his name—and he took that as an indication that she was going to die—and she did die from an accident,—that she broke her leg. I asked him whether it was her voice, or a spirit voice. My understanding was that it was a spirit voice. I understood from him that his mother was then living. This is only a slight indication of aberration of mind. I asked him what he was to be a witness on. He said he was given to be under a lunatic circumstance—it was in an undertone. I will swear that I believe that was what he said,—that I marked a degree of incoherence. I think he referred to this case here. He understood that he was tried for lunacy. I don't think he understands all the circumstances and facts of the case. . . . The house was filthy. He is in remarkably good health—had a remarkable constitution. I think it dangerous for him to live there—if he has lived ten years in that condition, I think it dangerous for him to live there. An extreme change would be dangerous to his life. If he was to go into a family where there are small children, it would shorten his days. He ought to have plain food, and to have pretty much his own way. I think he would be easily influenced by parties to part with his property. I have seen men that fell into the hands of sharpers and got skinned. Having so lived he would have an aversion to

change. There would be no serious danger of disposing of his property. He is not a lunatic. I made some notes of questions to ask me—they covered a half sheet of paper—they were questions I desired to be asked. I am sometimes at a loss in determining a case—all I pretend to do is to give my opinion."

To a question as to proper treatment, the Doctor replied:—

"I think he ought to be obliged to keep clean in person and clothing, his room ventilated, and he should have enough society to prevent a liability to injure himself; his food should be plain, and he should be examined by medical men as to his condition. His wishes should be consulted, and his previous habits humored. His talk on the Revelation, *in connection* with his condition in other respects, is an indication of mental aberration—but not *alone*. I think there was danger of the old man injuring himself by accident—by falling down. I don't know that any medical aid is necessary in regard to his mind."

Dr. John P. Gray, Superintendent of the State Lunatic Asylum, testified:—

"I have had an interview with this old man, and made an examination at the hotel yesterday, for an hour and a quarter; and at Burdick's office last night. I did not detect any indication of unsoundness of mind or insanity in any form. Considering his age and education, I thought him rather unusually active in mind. He is a man of sound mind. He has not the strength of mind of his youth, and he has some eccentricities. He has capacity to control and govern himself and manage his property, as he has done for many years, with the exception that his physical difficulty will not permit him to give it the same personal attention.—He is not imbecile. *Question by Counsel.* Suppose he had 350 acres of land for many years—cultivated, or had cultivated but a small portion—a few acres less in the last two or three years than before—having no family, but living alone in a house on the property,—with a family in a part of the same house,—doing his own cooking,—taking care of himself,—what does that denote or what is it evidence of? [Objected to, but allowed.] I say it indicates a peculiar, eccentric man. It does not denote what is known as imbecility, or

senile insanity, or senile imbecility. I did not see any thing eccentric in him. He was peculiar in his views of Scripture. This might be the result of ignorance. It is no evidence of unsoundness of mind in regard to his views on Scripture. I talked with him. Heard him express his views.—I drew his attention to the subject in the morning. I asked him what was relied upon to show that he was a lunatic. He replied, in substance, his talk about Revelation. I asked him what his views were about Revelation. He thought the 23d chapter of St. John's Revelation, the Book of Daniel, and Jude, referred to the end of the world—what bad things might happen about that time. It was after he had had two law-suits that he read on the subject these books, and it was made clear to him—thought he was right as to the meaning of what St. John and Daniel had said. Then he went into a long explanation that I could not call very lucid. Next he said, when he saw what deacons and others might say, he had to read Revelation to see whether the end of the world was coming, and repeated substantially the words of the morning. *Question.* What does that indicate? I can only say that I did not infer insanity—it indicated that he had his own views—not imbecility nor insanity. *Question.* Did they indicate any thing more than peculiar views on that subject? They did not indicate any thing else. At the first interview, to test his memory, his intelligence, and his general interest in things, I asked him when his father came to this section of the country. He said his father purchased in 1804—came here in 1805, and that the next year was the great eclipse. He detailed the difficulties his father had in securing the title, which I can't recall. In answer to my questions, he said he was 82 years of age—his mother died in 1832, his father in 1837, his sister in 1852, his brothers in 1857 and 1858. Touching recent events, I asked him if he had so conducted his farm and business, since the death of his brothers, as to clear his expenses, and make a living out of his property. He said, not the last two years, because the taxes were so high, and he could not work himself. In answer to a question I put, he said, he had managed the affairs since his father's death, as well as since the death of his brothers—had paid bills, and received money for things sold and bought; had continued to do so up to the present time. I asked him what his taxes had been for the past few years. He said, over \$1,000 the past six years. I asked how much six years ago.—He said about \$243 and some cents.—Five years, \$230—four years, \$200;—1867, \$173

and some cents, and the school tax, which was \$2. *As to his feeling towards his relatives*, he said, I have no malice towards any—some of them are rich, some drunken and good for nothing. He said he had never made a will—if he died, the property would all go by the law. I asked, if he had ever thought of disposing of it—selling;—he said he had not,—it was the most secure property he had. I asked, if he did not make his expenses, how he lived. He said he always kept money, from \$600 to \$1,000 about him. Where did he keep it? Some of it in bank, some he had himself. Why did he not put it all in bank? Because they did not pay any thing on deposits. Why then he kept any at all there? Because it was safer, as the country now was. I repeated a number of these questions to him, but not in the same connection as before. To my questioning from the early part of his life to the present, I received in substance the same answers. I also asked him if he was a church member. He said, no—sometimes he went to the Methodist church, sometimes to others. He did not join them. I asked why. He said, he was not good enough. I asked him about the cultivation of his land: his account of it did not differ materially from what has been stated here. Said he had not cultivated much plowing, and had grown grass, and kept some stock,—never cultivated much grain—had cultivated less since his brother's death, because he could not get out so much;—thought he would make as much by letting it grow up to timber. One field he had in buckwheat, after the death of his brothers had grown up to pines, which he thought would be more valuable than his cultivation would have been. I asked him if he did not advise with his neighbors;—he said, he did not;—he talked once with Squire Creighton about this lot, and he agreed with him as to the value of the pines.

“In my interview last evening, I again asked him if he had thought of disposing of his property. He said, no—he would not sell. I asked, if he thought of making a will. Before he answered, another question was asked—if he willed his property, would he give it to his relations? He said, when he died they would get it. He would not fight them after he was dead. They ought not to have it after the way they had acted, but he would not go to his grave with malice in his heart;—that he could will only a portion of the property, and of the property his father had left only a portion. He then spoke of his father's will and its provisions. His father left it in seven parts, six to the boys, and one to the girl. The

other girl had left home early, and had not done any thing to add to the property, and his father had excluded her. I asked if he was hard of hearing. He said no,—he could hear. If he heard any of the evidence given in court? He said he did. . . . I asked him how he had fastened his house. He said he had put up some fanning mill sieves to the windows west and north, thinking it would be a good plan to have them dry and keep the cats and dogs out. He had put up a sheet at the east window which was open, fastening up with a light pitch-fork. He had fastened the door with a broken case-knife, by slipping it over the latch. He had fixed the door before the persons came there, to keep the children out, who had some kittens which they brought in and bothered him—Mrs. Strat's children in the other part of the house. . . . I asked him if he had read the Scriptures before these law suits and this war. He said, yes, but not so much. Why he had not then got the same views of Revelation? He said he had read them before without faith—if you had not faith in reading the Scriptures you could not learn them. . . . I asked him what he lived upon. He said, mostly wheat bread, sometimes corn bread, and buck-wheat cakes and butter. I asked if he drank tea and coffee. He did not. He had meat in his house, but had not eaten meat for sometime past—more butter. He said Mrs. Strat did his washing—some other person did it before she came there; he had 15 or 16 shirts. Strat made his clothes. I asked how often he washed himself. He said, every day. Mrs. Strat brought in hot-water, and he washed with it every night—he could not sleep without it,—had pain. I asked how he came to have such dirty, black feet. He had been washing them with coal and ashes. I asked him why he went behind the clock. He said it was to get out of the way so they could not see him. Some one asked him, in my presence, what he said to the persons that came in the door. I think he said 'What the devil do you want here?' I asked him why he did not fight them and put them out. He said, he did not think they would hurt him. He said, he knew that this business was coming off, and he would have to come out to Court on Tuesday. He did not want to be talked to. He stated how they got into the house; they rapped and banged on the doors first—they used a knife to pry up the window a little distance, and then pushed it up and took the pitch-fork and pushed out the knife from over the latch. I asked him how he slept? He said he had two feather

beds on a bed, and in summer he slept with one blanket and quilt off, and in winter with more clothes and a feather bed over him—said he had more feather beds in the room than he wanted. I asked why he kept this rye in the room. He said he brought it in to keep it dry—ten bushels,—he thought all along they might want it to sow; a little of it had grown. I recall that, in my first interview, I asked him how he conducted his farm, having no wife. He said, he gave it out on shares. I asked the name of the constable of the town. He said, Noonan. He had not much interest in political affairs,—had not voted lately. I asked him why he did not vote now. He said the majority on the other side was so large there was no use of it. I asked who was the 'Squire' of the town—he replied, Mr. Robb.—I did not discover any ill-will or unnatural feelings towards his friends or relatives. He is not in my opinion unsound in respect to his feelings. I would not use the term *will-power*. The will is the executive faculty of the mind. I don't mean to swear to metaphysics or questions of metaphysics, or to a metaphysical proposition, as I am not willing to give oral evidence on any abstruse metaphysical questions. In respect to his power of controlling himself I should say his mind was sound, though not perhaps so vigorous as at some other periods of his life. As to the management of his estate, I should be inclined to think he would manage it his own way. In respect to his intellect, it was sound—I did not think he was insane. I do not think he is liable to be imposed on and his property taken from him by reason of any insanity or unsoundness of mind. On cross-examination, Dr. Gray said—there is a technical language and a popular language on the subject of insanity. Writers and experts differ in their technical terms to a considerable extent. It is a difficult problem in science. I have tried to employ popular language. I have not given any attention to the style. *Will-power* is not the best term to employ. It is a matter of taste, and on matters of taste distinguished experts differ. I understood the term—but did not wish to be led into the use of it on the examination. The will is the executive faculty of the mind that guides and puts the mind in operation. *Question*. Suppose that all the other faculties of the mind are sound and in good order, and the executive faculty defective, would the mind be in a sound and healthy state? *Answer*. Every individual having to be judged by his own stand-point, I should not be willing to answer

that question in a general way. As persons are weak or strong of will not always in relation to the soundness or unsoundness of the intellectual faculties, I can only answer in that way unless the word *unsound* is put in for *defective*, as that has a specific meaning. *Question.* What do you understand by the word *defective* as applied to the mind? *Answer.* Not a complete, well-rounded, and balanced mind,—not a diseased mind. The term *mind* comprehends all the faculties. *Question.* If there be some one of the faculties comprehended under the term *mind* in which it does not act naturally or normally, would the mind in that instance be defective? *Answer.* The mind in that case would be unsound,—in a popular sense, defective. The will is the executive director; if it is in a condition that it does not act normally, it would be in a popular sense defective,—in a technical sense, unsound. There may be some writers who use the term *defect*. I don't recall any. There is a great range of varieties and degree of unsoundness,—greater in degree. I never found an author that can fix a standard of soundness and unsoundness. Every person must be his own standpoint. Experts differ on the same state of facts; what one calls soundness, another calls unsoundness. In making up a case, we must know the habits and idiosyncrasies of the individual. It is difficult sometimes, on examination, to determine unsoundness. It sometimes requires repeated examinations. In unsoundness of mind, it often happens that there is more intelligence, activity, and vigor in some directions and on some subjects than others. Seclusion is one of the conditions marking unsoundness, which we look for and find. I use unsoundness of mind in the sense of insanity. I use them as synonymous terms. I know what I understand unsoundness of mind to be; I understand what I think it means in a technical sense, and what I think it means in a popular sense. There is no kind of unsoundness of mind which is not embraced under the general term of insanity, I comprehend under that term imbecility and epilepsy. Insanity embraces all kinds: some authors use unsoundness. *Question.* Do you call a will so defective that it cannot direct the other faculties, a case of insanity? *Answer.* Yes, if that defect is the result of a disease, and not constitutional or congenital. By disease, I mean a disease of the brain, by which the manifestations of the mind are disturbed, shown in a change in the way of thinking, feeling, and acting of the individual. *Question.* If a person has a

will so defective that it cannot control the other faculties, is that a disease of the mind? *Answer.* It would probably be classed under the head of imbecility. Imbecility is not properly a case of diseased mind, but embraced under the general term insanity. Congenital imbecility increases as a person grows old—congenital defect would increase with increasing age. There is a disease known as senility in all books on insanity. It comes after the decay of the faculties from age. There are other species of dementia not called senility. Acute dementia is sudden. Dementia follows each of the other forms of insanity. It also supervenes upon paralysis and epilepsy. In a case of senile dementia the power of the will would be decreased—enfeebled. In a case of congenital imbecility it reaches that state when the man is 'fatuous. Senile dementia and congenital imbecility are increased by the infirmities of age so that the manifestations would be substantially the same as to executive power. I adopt the system of the unity of the mind.—Extreme filthiness is a condition found in imbecility, and universally in dementia, and is always taken into account. Timidity is also one, but not so common. If a man's will is such that it cannot govern the other faculties, I would not think him in a fit state to govern himself or manage his property. One in a state of partial imbecility is more likely to get under the control of designing persons. . . . A man is not at all times, even in health, under full control of himself,—would do one day what he would not do another. If he habitually did so, I would take that into consideration, with other things, if his capacity was questioned. If a man possessing farms should voluntarily let them run to waste for want of proper care, and grow up to brush,—so go to waste that the property depreciates one-half, I should regard that as an indication of want of power. I would not give it much weight. It might be taken into account. In a given community men in a normal condition ordinarily act in the same way in reference to their own interests. I am aware of the legal presumption that every man acts with regard to his own interest. I never saw this old man except at these interviews. My conclusion is based upon my examinations; but what I have heard here has of course got woven into my mind. I give a good deal of my conversation with him in his own language, but mostly only in substance. I asked him questions from time to time and he answered. Dr. Joslin was present a few moments, and both of the counsel were present, and

some strangers that I did not know. I suggested the inquiries in relation to taxes. . . . I made no suggestions as to the examination of witnesses. I don't know whether the subjects of examination were suggested by any one. I selected the subjects of examination entirely. Some hold that eccentricity often develops into insanity; the line is difficult to mark. It is a common thing in aberration to have religious delusions. I was not present at all this examination. I was out for half an hour, and do not know what was done while I was absent."—Being asked if what he had heard had changed his opinions, he replied that his opinion was the same as heretofore expressed.

At the close of the testimony, Judge Stewart stated to the jury in substance:

" 1st. That the case was one of unusual importance, not alone to Tyler or to his relatives but to the entire community in so far as their verdict might establish a precedent in similar cases.

" 2d. That to deprive a citizen of his liberty—place him under the control of a committee, together with his property, the most satisfactory and conclusive evidence should be furnished that he was a person of unsound mind; and that they were not to take into account, in any manner, his physical condition, his mode of living, his management of his estate; whether he had caused it to be productive, or allowed it to go to waste or depreciate in value; except in so far as the expert evidence in the case showed, or tended to show, that such mode of living, or management of his estate, might be taken into consideration as evidence of unsoundness of mind.

" 3d. The judge further stated to the jury, and repeated to them, with great emphasis, that it mattered not if Tyler's legs were both severed from his body—his arms were off—both eyes out—and he physically wholly disqualified to look after himself or his estate; yet, if his mind was sound, he was the lawful and rightful custodian of himself and his property. The judge further stated that he attached no importance to the testimony that Stephen as well as the other members of his family, had lived in great filth, or that he had failed to cultivate his lands as his neighbors had cultivated theirs, or that he had allowed his lands to grow young pines; that, if of sound mind, he had a right to live as he pleased; to cultivate

and improve, or to neglect to cultivate and improve his lands as he pleased; and that those things, by themselves, were not evidence of unsoundness of mind; but left them all to the jury with the testimonies of Drs. Gray and Tourtellot; who, he stated, were the only witnesses in the case claiming to be experts, and competent to speak of diseases, or unsoundness of the mind."

The case was submitted to the jury Saturday morning, and after deliberating until 6 P.M., they were discharged; being unable to agree, and standing, as nearly as can be ascertained, about equally divided.

To treat with more gravity a case with which we have somewhat played, although we have been careful not to sacrifice truth in our playfulness, it is a serious question, not thoroughly solved, what sort of interference is proper and allowable in the case of a decaying and diseased old man, situated just as *Antiquus* seems to be; what treatment humanity dictates, and the law, at the same time, will justify or enforce. Old age is entitled to its peculiar indulgences, and many of its whims cannot be handled to our liking, without an interference with personal liberty. If a man, without family or descendants, chooses to retire from the world, and to consult his ease after his own fashion; to desist from the further pursuit of gain, and rest content with what he has acquired, satisfied that, without particular and annoying care about it, it will carry him comfortably through to the end of his days; unless decrepitude has made him helpless, and senility has clearly impaired his faculties, so that he is dependent on the care and watchfulness of others for ease, sustenance, and what they choose to consider as comfort and happiness; it would seem that he has a lawful right to insist upon an immunity from interference, and claim deference to his own wishes and inclinations; to wrap himself in his chosen solitude, like a caterpillar in his cocoon, and await the change that must happen to all.

We are apt to consider many people as in a very wretched plight, who from conscientious or superstitious motives, or because of some idiosyncrasy, have reconciled themselves to a state of living that defies all conventional usages; to a meagre-

ness of diet, a scantiness of vesture, and even to mitigable chronic diseases which they persist in enduring without alleviation; to conditions that seem to us quite inconsistent with any notion of comfort, much less of enjoyment. They suffer from choice, or from a wonderful obstinate patience or submissiveness, what most people shun with horror; and obtain what they call satisfaction, from a state of life that causes the rest of us to shudder. There are hermits and anchorites whom nobody thinks of disturbing. Simeon Stylites was allowed for thirty years to lodge and board on the top of his pillar, exposed to all the inclemencies of the seasons, day and night, without any writ *de lunatico* served upon him, or of *mandamus* requiring him to come down, and sit at table, and sleep in a bed, like other folks. Simeon doubtless felt as if he were at the height of spiritual enjoyment. There are, now and then, obstinate cases of this sort, of which that of *Antiquus* may be one, who refuse to be persuaded that they can be any more comfortable than they are; rejecting all proffered sympathy and attention; and declining all offers of companionship and personal aid as a positive interference and presumption. They decidedly prefer to be let alone, as their highest enjoyment; to be suffered to slip down the descent of life without question, observation, or meddling. This is very unpleasant to us; but is it not pleasant to them? and have we a right to exact that they shall be pleased with our way of pleasure, instead of their own? It is a question of personal feeling and personal liberty of action; and so long as they support themselves, pay taxes, and submit to the laws, why should they be annoyed with juries of inquisition? Nobody ever thought of restraining Thoreau from dwelling all alone in a hut in the wilderness, and utterly secluding himself as often and as long as he pleased. John Baptist lived a good many years in the desert, shabbily clad in skins, and with no greater variety for the table than could be made out of the various modes of dressing up locusts with wild honey. A great many miserly old wretches beg their daily scraps, while they nightly sleep on well-filled purses for their pillows; but they incur more peril from the gospel than from

any inforced law. Avarice, seclusion and eccentricity, however blamable in a moral and social aspect, do not come within the reach of inquisitions, and there is no human law that we know of that makes dirt and raggedness a crime, or necessarily an evidence of unsoundness of mind; although they distinguish some forms of disease and are the cause of some. A great many tribes of the human race go foul and unclad, and seem to like it; and so does an occasional odd fish of civilized society, who is yet shrewd enough to save or make a tolerable fortune, and to execute an unimpeachable devise of it, particularly if it be for charitable uses. Diogenes was no fool or *non-compos*; yet he chose to be independent of conventional usages, in very enlightened days, and to roll his domicile about from street to street; to utter sharp sayings to Alexander the Great for standing in his sunlight; and, not finding sunlight strong enough, to help it with a lantern, when he wanted to concentrate sufficient luminous power, natural and artificial, to find an honest man;—a search, which, so far as is recorded, was not worth the candle. A jury, now-a-days, might not be very far out in considering it as the highest token of imbecility and delusion, that he should be searching, with the most brilliant illuminating power, for such an antiquated monster; he might as well be looking after a live megalosaurian, which, according to the geologists, could not have existed for the last ten thousand and odd years; so remote is the era of megalosaurians and honest men: extinct tribes both, to be traced only in paleontological memorials, lying in ancient strata under the earth, or in quaint inscriptions on antique mossy tombstones in country grave-yards above it. Socrates, the immortal, is another example of an ugly, scant-fed and bare-footed oddity; a little more conversational, social and peripatetic than *Antiquus*; but with a grievous disadvantage in Xantippe, that *Antiquus* luckily escaped by his persistent celibacy. Dr. Johnson, surrounded by quarrelsome old ladies, who kept him continually in hot water; and feeding his ugly cat Hodge with extravagant oysters; and who had also heard his mother's voice calling his name under impossible cir-

cumstances; was another example that *Antiquus* probably regarded rather as a warning against domestic and social life, and household pets, than as a recommendation of that condition; so he shrewdly shunned all such indulgences, and preferred to cultivate a meditative solitude, and starve and doze in undisturbed independence.

If a man has a congenital imbecility, it seems singular that he should be able to manage his affairs, even slovenly, to fourscore, and then first be summoned to answer for it, and submit to an enforced guardianship. Such imbecility is certainly not senile, but juvenile and life-long; no more incompetency now than it always was. *Medicus*, being a doctor of some years standing, and having known his grand-uncle and his family for sixteen years,—they living all that time, as he knew they did, in the same condition as to imbecility, negligence of affairs, indifference to doctors and other indications of a somewhat lunatic character,—should not, it seems, have waited until his venerable relative was fourscore and upwards, before he thought of placing him in the custody of the law. The humane feeling which distinguishes his profession should have prompted him, a good many years before he did it, to look after an infirm old man, and see that his decrepitude and incapacity were duly protected against his drunken tenants, the plunderers of his timber, the trespassing hay-devouring cattle, the decaying fences, the dilapidating barns, the diminishing buckwheat and the incroaching pines. This long forbearance from doing a very natural kind office, finally but unsuccessfully attempted, carries a faint suspicion of some fresh interest in the old man and his affairs, that has a smack of last wills and testaments in it.

From some of the testimony adduced in this case, and from the disagreement of the jury in the face of the strong and pointed charge of Judge Stewart as to the law, we infer that it is a common impression that every man who is lazy and negligent about his affairs; every man who has inherited or accumulated enough to enable him, if such be his easy temper, to "let things slide," as the common phrase is, while he himself

is sliding down the vale of years, and sliding all the more easily because he lets every thing else slide along with him, instead of torturing his mind with the irksomeness of "pushing things"; every man who, in his wane and decrease, lays himself up, for the rest of his days, in lavender, or perchance other odor less approved by delicate nostrils, and who chooses to care for nobody because nobody cares for him; every man whose faculties slack somewhat, especially his famous "will-power," which he may have weakened or exhausted in procuring the very competency which he has provided for just such a contingency, which he enjoys after his own fashion, and which is abundant for his own wants, although it might possibly be so husbanded as to make the one-seventieth part of each of his grand-nephews a little bigger when he dies; every man who shuts himself up in a single room of a forlorn house, instead of littering and fouling all the rooms in it; every man who thinks more of Daniel, St. Jude and the Apocalypse, than he does of politics, or of his pigs or his fences, his grass crops or the prizes of agricultural fairs, and who suffers pines to grow where buckwheat did; and yet showing no symptom of insanity or imbecility more than these peculiarities or eccentricities indicate: every such man, although he may be in some sense a nuisance or a disagreeable anomaly of civilized life, is to be deemed legally incompetent to manage himself and his affairs, and should be incontinently committed to legal guardianship, with the privilege of enjoying himself according to rule and conventionality; of having his hair cut and his beard trimmed; of dining on what offends his gorge; of being clad in shaped and snug tailor's coats and trowsers, instead of his easy rags and patches; of being put into pinching boots, instead of going barefoot; of having no pocket pence; and, after having lived all his days independently, of being condemned at last to be subject, for the rest of them, to the whims of other people instead of his own, and to have for dole, or what he thinks very much like it, the bread that his own means provide and pay for.

Legal incompetency is not to be inferred from eccentricities

or habitual deviations from common and customary modes of life and business; from habits of extravagance or wastefulness, or from the other extremes of self-denial, parsimony, or avarice; all of which are no legal gauges of unfitness or incapacity, unless in such particulars there is shown to be an abrupt or remarkable change from old modes and peculiarities of life,—which is generally a sure indication of some impairment of the faculties,—or unless the ordinary faculties are obviously so broken or decayed as to present a ruin in contrast with their past vigor and perfection. *Antiquus*, it seems to us, is proved to be somewhat of an oddity; but never to have been, according to his sworn expression, “in a lunatic circumstance”; and never so much of an imbecile as not to appreciate the difference between a “rogue and a fool,” which must be set down as a striking bit of shrewdness in a man of fourscore. That he refuses to marry in his old age, when he sadly needs nursing, is perhaps the strongest token of imbecility; but he is doubtless, without knowing it, of Lord Bacon’s mind, that “certainly the best works and of the greatest merit for the public have proceeded from the unmarried or childless men”; which he is willing to exemplify by leaving his pine forests and his commentaries on the prophecies to preserve his name and memory to the next ages.

To have found *Antiquus* incompetent, would have been to deny also his disposing power; a power which Chancellor Kent once maintained, in a like case, by affirming the will of another *Antiquus*, who was between ninety and a hundred when he made it. “It is one of the painful circumstances of extreme old age,” says the humane Chancellor, “that it ceases to excite interest and is apt to be left solitary and neglected. The control which the law still gives to a man over the disposal of his property, is one of the most efficient means which he has in protracted life to command the attentions due to his infirmities.” No wonder then, that anxious descendants should find so much imbecility in an ancestor or aged relative whom they may succeed, and seek to impeach his testamentary power by an inquisition that shall at once leave him in their

custody, and incapacitate him from executing a valid testament, which may cut them off from the inheritance.

Lord Bacon somewhere intimates that old men get wives for nurses. If *Antiquus* would so far subdue his cynicism as to contract matrimony with some mature widow, childless, and free from obnoxious feline and canine attachments, and withal of sufficient surviving power to outlast him; and would make for her an ample provision both of domicile and of pine lands, before juries and experts begin to agree whether he is *capax* or *incapax*; he might still, under her affectionate nursing and tidy ways, reach his hereditary centennial, and thwart the rapacious tendencies of remote collaterals who expect to divide his possessions. He would also have the satisfaction, in such a connection, of seeing new revelations, surpassing any that his fourscore years have yet discovered to him, else his experience would widely differ from that of his octogenary brethren who have tried that sort of consolation for old age. He might even enjoy the singular happiness of Masinissa, who lived beyond ninety, and in his declining years was constantly fortunate—“*decursu ætatis constanter felix; nonagesimum annum superavit, et filium genuit post octogesimum quintum!*”

ENGLAND AND CHINA—TWO LECTURES.

FIRST LECTURE.

THE blot on the political history of modern Empires which most disfigures its page and excites the virtuous indignation of mankind, is the Dismemberment of Poland, and the appropriation and subjection, by the surrounding Powers, of its disjointed territory and population. It is not to my present purpose to consider the apologies offered by the criminal participators in that transaction for a course of conduct which is absolutely without apology as it is without precedent. The fact itself is damning, and an attempt to palliate it aggravates its odiousness. It is impossible to reflect upon that national murder, committed in cold blood, without a kindling of the eye and a leaping of the heart; without being amazed that every sword in Christendom did not gleam vengefully aloft, to descend in fury upon those who conspired so atrocious a violation of the faith of nations and the common rights of man.

Who can muse upon Poland, her ancient chivalry, her indomitable courage, her determined struggles, and her melancholy exit, like the lost Pleiad, from the constellation of Empires, without a fervent hope that he may one day behold her avenged upon her oppressors? The sentiment is universal, it is irresistible. It is not in the human heart to look honestly upon her fate and check the native impulse of indignation. It is not in the human heart to see a nation, with no crime to expiate, extinguished in blood, without being touched by the contemplation of her grievous wrongs, and denouncing those who have done this deed of violence as traitors to all national obligations, to all national honor.

And yet the world submitted to this atrocity; and the subsequent vain struggles of its impotent victim to do itself that justice which Christian nations refused, are the only direct attempts at retribution which History recounts. The act remains unatoned for; and is indelibly fixed on the page of human transactions, prominent, inexpiable. Poland still lies prostrate and dissevered, the plunder of the rapacious and the slave of the domineering; worthy of a place among kingdoms, but crushed to fragments by superior might and grasping ambition.

A conspiracy of nations to commit such flagrant wrong, may never again occur; but the spirit of rapacity and the lust of dominion that prompted it are still of potential influence; and, in more instances than one, have marked the conduct of a people whom most of us regard with admiration, if not with reverence.

To England we owe our parentage, although we may not feel very strongly some of the obligations which that relation usually involves. From her, we inherit bravery, skill, industry; religion, language, arts, philosophy and literature. Happy would it be, if, inheriting her virtues and the useful results of a long experience before and since we cut her off as one unmindful of the duties of her relationship; happy would it be, could we truly say we inherited none of her faults and vices. But we must not be unmindful, while criticising her demeanor as a leading actress in the great theatre of the world, that we too are not wholly blameless of the great fault of Empires;—that of feeling power, and forgetting right.

Since the aspiring days of Rome, when she possessed the power, as well as the title, of the Mistress of the World, no nation has coveted more earnestly, or reached more nearly, that summit of national ambition, than England. Herself a conquest to the gallant arms and superior genius of the Norman, the same spirit of conquest that animated him to land upon the shores of Britain with his armed followers, was, with his new realm, transmitted to his descendants. It has lost none of its original vigor. Time and acquisition seem to have

whetted, rather than dulled, the keenness of its appetite; and the island which Julius Cæsar added to the vast power of Rome as an insignificant appendage, has, in the lapse of eighteen centuries, become the Mistress of ampler territories than Rome herself, in all her glory, could boast of possessing.

The love of dominion, is the love of gain sublimed into a national passion; and in no people of modern times have the one and the other been more strongly developed than in the English. The love of gain on the part of the subject has led to the extension of dominion on the part of the government. The most striking exemplification of this exists in the history of the rise and continuance of British power in a remote and extensive region of the East, where it now bears sway over countries broader than the British Isles, and over a population more numerous, by tens of millions, than those Isles contain. The rivalries of trade laid the foundations of this anomalous power; individual enterprise engendered those rivalries; and the beginnings thus made, the government itself has taken advantage of, not the less efficiently, because indirectly, to secure the sovereignty of the finest provinces of India.

That England has achieved occasional good for India, I am not disposed to question. That she may achieve permanent good for her, may be admitted. But that she has done her infinite wrong and mischief, beyond the bounds of belief, and the reach of justification, and the power of atonement, is written with a pencil of midday sunbeams in the annals of her domination there. The story of her actions in the East is a story of oppression, outrage, cupidity and faithlessness, that modern History, except in that glaring instance of Poland, cannot parallel for flagrancy.

It is now nearly two hundred and fifty years since the incorporation by Queen Elizabeth, of that celebrated Company of merchant adventurers, who first established a small factory in India for the protection and furtherance of what bade fair to become a lucrative commerce with that teeming country. A monopoly begun for trade ended in sovereignty. An insignificant trading post, by purchase, fraud, intrigue and force

soon acquired sufficient influence for the formation of alliances with adjacent provinces, leading, by an easy gradation, to their complete subjection. The acquisition of the rich and populous province of Bengal, under circumstances which even Mr. Burke, with all his sincere abhorrence of injustice, slurs with the remark that "there is a sacred veil to be drawn over the beginnings of all governments," paved the way to other important acquisitions; and towards the close of the last century, the provinces of Bahar, Orissa, Benares, Oude, the Carnatic, Tanjore and the Circars, with Bombay and Salsette, were also embraced in the dominions of that same Company of merchant adventurers. These together, according to a statement of Mr. Burke, formed a territory larger than any European dominion, Russia and Turkey excepted. The provinces of Bengal, Bahar, Orissa and Benares composed a territory larger than the whole kingdom of France; Oude not a great deal less than England; the Carnatic, with Tanjore and the Circars, considerably more than England. "Through all that vast extent of country," he exclaims, "there is not a man who eats a mouthful of rice but by permission of the East India Company."

The trial of that noted Governor of Bengal who was, during the last century, arraigned before the people of England at the bar of Parliament, charged with a dismal catalogue of crimes against India and humanity which only great talent could devise, and great wickedness execute; the commission of which was abundantly proved, but their punishment averted by a mere technicality in political ethics;—this celebrated trial developed in all its gloomy atrocity the infamous conduct by which such vast possessions and authority had been acquired. I do not propose to enter upon the shocking details of it; they fill a mighty volume, and such a volume of treachery and inhumanity, involving in one melancholy wreck all that in that noble land was venerable for religion, respectable for rank, honorable for years, or estimable for innocence, could not be truly written of any other dominion or tyranny I ever read of. Fox, Sheridan and Burke exhausted the copiousness of their manly and touching eloquence upon the theme; and what they

could not prevail upon a British Parliament to do, the honest sentiment of the world has done; convicted the East India Company of a systematic course of fraud, rapine, and cruelty inflicted upon an impoverished, unhappy and undone people.

This passing reference to the incipency and enormous growth of British power in India is made for the purpose of foreshadowing the probable policy of England, should circumstances favor it, towards another nation of the East, on which the eyes of mankind are now intently fixed. For two hundred years she has been wistfully seeking to obtain a foothold in China; an empire of the broadest extent, and the most numerously populated of any in the world. For two hundred years has China thwarted all the arts and intrigues, and courteously rejected all the embassies of England, until force is called in, under the cloak of retribution, to accomplish what diplomacy has so long failed to attain. In the solemn language of Burke, "this is a business that cannot be indifferent to the fame of England. She is on a conspicuous stage, and the world marks her demeanor."

Before considering more particularly, as I propose to do on a future occasion, the present relations of England and China, and the question of the right of a nation to cut off commercial intercourse with the world; it seems desirable that we should first possess ourselves with a more accurate notion of the Chinese people than is commonly entertained, even by those who are generally well informed. I do not pretend to any more intimate acquaintance with their history and character than is easily to be acquired by most persons who feel an interest in the subject. They are a peculiar people. This is nearly all that is well known, by which I mean commonly and truly known, about them. But it is to be remembered that like Attila, the famous leader of the Huns, who depends for his renown upon the tales of his enemies, having no historian of his own countrymen to recount his exploits and portray his character; so the Chinese are depicted to us by those principally who are interested, in some material points, to misapprehend and misrepresent them. The general opinion respecting them

appears to be that they are a numerous people, enveloped in self-conceit, ignorant, superstitious, treacherous and exclusive. A brief examination will show how far this opinion is well or ill-founded, and enable us the more satisfactorily, on the evidence of admitted facts, to compare them with other nations who boast of their superiority.

China proper embraces a territory covering upwards of twenty degrees of latitude and as many of longitude; a territory greater than is comprised within the twenty-six States composing our Union. This is but a fractional part of the whole Chinese Dominions, which together form a territory five times greater than our twenty-six States. These vast possessions, with variations of climate as extreme as our own, intersected by noble rivers inferior only to the Amazon and Mississippi, and by a ship canal which is unequalled for extent and dimensions by any in the world, are peopled, at the most moderate estimate, by more than two hundred and fifty millions; and, on the authority of the Chinese tax lists, which are made with as much accuracy as our census, by more than three hundred and fifty millions; a multitude, under one authority, almost surpassing the scope of belief, and even of imagination; in comparison of which our own population of seventeen millions, the twenty-six millions of Great Britain and Ireland, and the thirty-five millions of France, shrink into insignificance; and which to equal, you must sum up the whole population of Europe. The progenitors of these myriads of people emerged from barbarism at a period long remote; and, before the Christian Era, were as highly cultivated as the people of Europe were so late as the fifteenth century; a position from which during that long interval, if they have not advanced, they have not retrograded. It is true, that the improvements of other lands have not as yet penetrated that extended region; and the labor of human hands still continues diligently to perform those mechanical operations which in other parts of the world have been committed to the wonderful contrivances of human ingenuity. It is also true, that the beams of modern science have not as yet struggled through the cloud of obscurity with

which a system of unnatural exclusiveness has so long overhung that immense dominion; and that much that we know to great perfection is not even rudimental there. But among no people have agriculture, the mechanical arts and literature, the great sources of physical comfort and mental enjoyment, been so long and uninterruptedly cultivated or so highly honored.

Europe was groping for seven centuries in intellectual darkness, while China was in possession of the art of printing, and of a literature ancient and widely diffused; embellished by the productions of a celebrated cotemporary of Herodotus and Pythagoras, the sage Confucius, and his numerous commentators, and by numerous poetical compositions, the earliest of which may be traced back for thirty centuries. During the same period, education was so general that every town and village had its common schools, under a system of instruction that was *ancient* before the Christian Era. Learning has for ages been the chief passport to the political honors of the State. That which is deemed essential, (for even in China there is a foppery in literature,) is encouraged by all the stimulating motives that can prompt to its acquisition. District and provincial examinations of those who pursue it, (and these are nearly all, of all ranks and estates,) are succeeded by others more thorough at the Imperial Capital; to attend which the indigent are supplied with the necessary allowances; and where the successful competitors receive their degrees, which are a test of merit and a title to elevation. From those thus honored are chosen the members of the Imperial College, and from these again the chief ministers and counsellors of the Empire. Thus in China, more than in any other country, by a custom which antiquity has ripened into a fundamental law, to be learned is to be respected and exalted. And thus it is, according to the testimony of an intelligent observer, that "among the countless millions that constitute the Empire, almost every man can read and write sufficiently for the ordinary purposes of life, and a respectable share of these acquirements goes low down in the scale of society." "The government very justly regards education as omnipotent, and some

share of it nearly every Chinese obtains." "The chief source of rank and consideration is certainly cultivated talent." "Under the influence of such institutions" it is remarked by Sir George Staunton, who was one of the retinue of Lord Macartney, the first Ambassador of England, "it is by no means surprising that the proportion of the community devoted to letters should be much greater in China than it is in any other country on the surface of the globe. It is so great as to constitute of itself a distinct class in the State. It is the first and most honorable of the four classes into which the body of the people is considered as divisible according to the Chinese political system; namely, the Literary, the Agricultural, the Manufacturing and the Mercantile." "Every thing that is subservient to or connected with literary objects is carried to a degree of refinement, and blended with all their ordinary concerns of pleasure and business, in a way that may seem extravagant and puerile; their customary reverence for letters is such that they will not tread upon written or printed paper; but such an attachment to the forms and instruments by which knowledge is conveyed, could hardly exist independently of a regard for their object."

In connection with their literature, it may not be inappropriate to remark upon a common misapprehension regarding their language. It is generally supposed to be quite unattainable, for any practical purpose, by foreigners. That it is in the highest degree artificial, and differs greatly from most other languages, cannot be doubted; but it would be a marvel if a language which is readily comprehended by half the population of the globe should be beyond the acquisition of the rest. The population of the world is estimated at somewhat upwards of eight hundred millions, and at least four hundred millions of people understand the Chinese. It is a language of symbols, and not of sounds. The letters of our alphabet convey of themselves, no ideas; they are the representatives of sounds simply. It is in their combination that all their value consists. A Chinese letter, or what we call such, conveys an idea; it is the symbol of one; and therefore, for scientific purposes, the

language is deemed, by those who have studied it, to be the most perfect in the world. It is like the Arabic numerals, which we, in common with the nations of the old world, use in our arithmetical operations. These numerals, for the purpose of notation, are a universal language. We may not understand an Italian, or a Frenchman, or a Spaniard, or a Portuguese, when he bids us "Good morning" in his native tongue; but when, with the Arabic numerals he performs an arithmetical operation, we understand him as readily as we do an Englishman or an American. It is the same with the Chinese language considered as a written language. The citizen of Canton may not comprehend the citizen of Peking in common conversation; neither does a Scotchman understand a Yorkshireman; and yet the written language of China is as mutually intelligible to the citizens of Canton and Peking as is written English to the Scotchman and the Yorkshireman. The dialects of China are those of pronunciation, the written words being invariable, and equally intelligible from Japan to Cochin China.

It is asserted by one conversant with the language, that to affirm that it comprises so many thousand different characters, is very much the same thing as to say there are so many thousand different words in Johnson's Dictionary; and that it is as essential to know all that Dictionary by heart in order to read and converse in English, as it is to know all the Chinese characters in order to read and converse in Chinese. The whole penal code of China contains only two thousand different words; and it is as easy to turn to a particular word in the Chinese Dictionary, which was compiled more than a hundred years since, as it is to turn to a particular word in an English Dictionary. The original characters of the language do not exceed two hundred and fourteen, reducible to a smaller number by analysis, and expansible to an unlimited degree by combination. The written language, uncouth as its truly picturesque characters may seem to our eyes, accustomed to the regularity of the Roman and Italic types, is attainable by a foreigner with the sole aid of a grammar written by a Frenchman, and a Dictionary compiled by an Englishman.

In the mechanical arts, great ingenuity, a happy division of labor, and nice manual dexterity, enable the Chinese to excel all other people in the production and finish of many valuable articles for use and ornament. In their practised hands, implements of the rudest device and construction are taught to accomplish what the more perfect contrivances of Western nations cannot achieve. In the carving of wood and ivory, and in the cutting of agate and rock crystal, their skill is unequalled. It is to them that all other countries are indebted as the original manufacturers of silk and porcelain; manufactures which the ingenious and dexterous artisans of France, with all the advantages of scientific skill, and after years of effort, have hardly succeeded in equaling. Sir George Staunton relates as an evidence of ready Chinese ingenuity, that two of them took down the two magnificent glass chandeliers sent with Lord Macartney's embassy as presents to the Emperor, in order to place them in a more advantageous position. They separated them piece by piece, and put them together again in a short time without difficulty or mistake, the whole consisting of many thousand minute pieces, though they had never seen any thing of the kind before. Another Chinese cut a narrow strip from the edge of a curved plate of glass, in order to supply the place of one belonging to the dome of the planetarium, which had been broken. The English mechanics belonging to the embassy had in vain attempted to cut the glass according to this curved line, with the assistance of a diamond.

In agriculture, which the denseness of the population, added to its own intrinsic importance, has made a chief employment of the people, they had acquired the art of making "every rood of ground maintain its man," while Europe, in the expressive language of Burke, was "yet in the woods." The excellence and economy of their contrivances for irrigating and enriching the soil are not surpassed in any country. Their superior husbandry is traced back with pride to the most remote antiquity, and, next to literature, holds the highest rank in point of esteem and honor. An annual high festival is held at the Temple of the Earth, which the Emperor and the principal

officers of the Empire attend, to testify the reverence that is due to agriculture; on which occasion they in turn hold the plough, and the land thus furrowed is sown with grain, the produce of which is carefully gathered for sacrifices. A similar festival is held at the altar of the Inventor of the silk manufacture, which is honored by the Empress and the chief ladies of the Court, to encourage the growth of the mulberry and the rearing of silk worms. It is thus that this sensible people give countenance and credit to those pursuits which are frequently deemed humble, but which are so essential to the support and comfort of man, and contribute so vastly to the virtue and prosperity of nations.

It is in the fine arts that the Chinese seem to be farthest behind other civilized nations. In painting, their knowledge of perspective is scanty, and their taste so uncultivated that they consider the beauties of light and shade as positive blemishes. In outline drawing they are not unskillful; and their colors are remarkable for their brilliancy and permanence. Beautiful writing seems to be held by them somewhat in the same esteem which we bestow upon fine pictures. The choicest gifts of friendship are exquisite specimens of penmanship, which are framed for ornament and admiration, and occupy the place on the walls and tables which we should devote to the gems of the burine and the pencil. Their sculpture is more defective than their painting. Music, although musical instruments abound, has never advanced beyond simple melody; and they seem to be unpractised in semitones and counterpoint. Harmony, unless the occasional use of octaves may be called such, is quite unknown.

Such details, meager though they be, but which might be amplified to fatigue your patience, are, I trust, sufficient for the purpose I have in view; which is to show that the Chinese are a people eminently ingenious, nice, cultivated and successful in those arts which contribute to the support and substantial comfort of life; while in those which tend merely to its embellishment, they are generally defective. It is but the common case of a secluded country, whose necessities demand

a continual application of its industry to those pursuits which tend to sustenance and not to luxury. It is not that there is an absolute want of capacity, or that bad taste is inherent; but that the condition of the people is not precisely such as to develop the one or correct the other.

The government of China is a qualified despotism, retaining as much of the patriarchal element as it is possible to infuse into the regulation of such a vast multitude of subjects. The Emperor is revered as the Father of his People, and the several officers of the State are regarded by their subordinates with filial respect. Filial duty is the elemental principle to which all the other duties of the citizen are referred. It is the first of moral as well as of political obligations; extending its claims to observance through all the relations of domestic, social and civil life. As it is expressed in one of their Sacred Books,—“In our general conduct, not to be orderly, is to fail in filial duty; in serving our Sovereign, not to be faithful, is to fail in filial duty; in acting as a magistrate, not to be careful, is to fail in filial duty; in the intercourse of friends, not to be sincere, is to fail in filial duty; in arms and in war, not to be brave, is to fail in filial duty.” “I instruct the Magistrates,” said a late Emperor, in an edict denouncing signal punishment against a breach of this obligation, “severely to warn the heads of families and the elders of villages and on the second and sixteenth of every month to read the Sacred Instructions, in order to show the importance of the relations of life, that persons may not rebel against their parents; for I intend to render the Empire *filial*”; an announcement worthy of a Christian ruler, but which many Christian people would regard with far less practical reverence than do the pagans of the Celestial Empire.

Its penal laws have been highly extolled for their clearness and excellence; and the government, unlike other despotisms, takes special care that the plea of ignorance of them shall not be truly available; for they are caused to be printed in a cheap form that they may be diffused among all classes of the people. What is cheapness with regard to books may be

inferred from the fact that three or four volumes of any ordinary work, of the octavo size and shape, may be had for a sum equivalent to two English shillings, which is about one eighth of the amount we commonly pay for similar books. It is of these penal laws of China, that a writer in the *Edinburgh Review* declares, that he "scarcely knows of any European code that is at once so copious and so consistent, or that is so nearly free from intricacy, bigotry and fiction." But a higher evidence, than any well turned period, of the fitness and efficiency of the laws of this great people, is exhibited in the comparative unfrequency of grave crimes, the excellence of the internal police, and the order, good humor, cheerfulness, peaceableness and industrious habits that confessedly prevail. These are not the offspring of a bad government.

The extremes of abject poverty and splendid opulence are affirmed to be less frequent than in any other countries of the East, and perhaps of the whole globe. "Poverty is no reproach among them." The greatest disparities in condition do not arise from property, so much as from official station; as for property, the absence of the rights of primogeniture, which are nevertheless of Eastern origin, causes its speedy distribution; and as for station, it is not only not hereditary, but it is a crime to propose to make it so. Even the sceptre does not necessarily descend from father to son; for the Emperor has the power to name his successor, and to transfer the sovereignty from his own descendants to another family. Such a state of things is eminently favorable to produce an equality among the people, affected only by those meritorious considerations of talent, industry, and integrity which are the sole legitimate causes of inequality.

In military affairs they are sadly deficient. The art of war is still in its infancy, the bow and arrow being the most usual weapon; and two centuries of almost uninterrupted peace have contributed to keep them behind other nations in the essential particulars of discipline and effective materials of war. They were the first inventors of gunpowder, but are more familiar with its use for purposes of holiday display,

than for the more serious service of protecting or destroying life and property. Until within a few years all the ordnance they had was the manufacture of the Portuguese, or the Jesuit missionaries; and their light fire arms are rude and inefficient. The regular troops of the country are Tartars, and are estimated at about 80,000; but the whole number of men under pay is about 700,000, by far the greatest portion of whom are militia, fit only for the purposes of a police. Bravery is not a characteristic of the people, although some instances are on record which exhibit creditable displays of passive courage.

In other particulars, the Chinese may, upon good testimony, assume a rank among the nations of the earth by no means so subordinate as is commonly assigned to them.

"I have been a long time in this country," says an English gentleman, "and I have a few words to say in its favor. Here we find ourselves more efficiently protected by laws than in many other parts of the East or of the world. In China a foreigner can go to sleep with his windows open, without being in dread of either his life or property, which are well guarded by a most watchful and excellent police; but both are periled with little or no protection in many other states; business is conducted with unexampled facility, and *in general with singular good faith*; though there are, of course, occasional exceptions that but more strikingly bear out my assertion. Neither would I omit the general courtesy of the Chinese in all their intercourse and transactions with foreigners. These, and some other considerations, are the reasons that so many of us so oft revisit this country and stay in it so long."

An English historian of China, to whose interesting volumes I am indebted for much of the information I possess respecting this singular people, observes that

"there is a business-like character about the Chinese, which assimilates them in a striking manner to the most intelligent nations of the West, and marks them out, in very prominent relief, from the rest of the Asiatics. However oddly it may sound, it does not seem too much to say that in every thing which enters into the composition of actively industrious and well organized communi-

ties, there is vastly less difference between them and the English, French, and Americans, than between these and the inhabitants of Spain and Portugal."

The rudest sketch of any people is unsatisfactory without an allusion to their religion. It is remarked as a singular circumstance that the State religion of China, is the religion of the original Chinese, and not of the Manchoo Tartars, who have so long possessed the civil power of the country. But the principles of Confucius seem to have been proof against the Tartar tempest that swept away so much that was venerable in China, as they subsequently were against the efforts of the Catholic missionaries. The system of this cotemporary of Pythagoras, is less a religious, than a philosophical and political system. It acknowledges a Supreme Being, and abounds with maxims of moral and civil wisdom. The Christian precept of doing to others as we desire they should do unto us, was announced by Confucius as a rule of human conduct five centuries before the appearance upon earth of the great Christian Teacher; and yet a distinguished citizen of our own country, noted no less for the depth and variety of his knowledge, than for the numerous dignities to which he has been exalted, has founded an argument against the Chinese policy of exclusiveness, and in defence of the conduct of England, upon the naked position that, China not being a Christian nation, "its inhabitants do not consider themselves bound by the Christian precept to love their neighbor as themselves,"—"to do unto him as they would that he should do unto them,"—a position that loses all its force when we reflect that although they do not reverence the precept as a *Christian* precept, they do reverence it as a *Confucian* precept, and sanction it as truly and really by their conduct as Christian nations do. The influence of the Chinese philosopher may be inferred from the circumstance that his works have been nearly as fruitful of commentaries and discourses in his native land as the Holy Scriptures have among Christian sects, and are held by the Chinese in the same degree of reverence which we bestow upon

the Bible; a reverence that proceeds from principle, as much amongst those Pagans as amongst us Christians, and probably no less from fashion and regard for public opinion amongst ourselves than amongst them.

The religious ceremonies connected with the State religion are various kinds of sacrifices to the celestial bodies, the deities of the land and of grain, the chief phenomena of nature, and the Queen of Heaven. They seem to be refinements upon the grosser devotions of the East. The Chinese are too sensible a people to have fallen into the abominable rites that attend the worship of Juggernaut, and generally deform the religious sacrifices of other Asiatic nations. The sect of the Buddhists, who rank next to the followers of Confucius in respectability and numbers, professes the worship of Fo, which is an offshoot of the wretched superstition of India. It is the religion of the Tartars generally outside of the Great Wall, but was introduced into China at an early period by the Chinese themselves, although it is now rather tolerated than encouraged. It has little to recommend it to the sympathies of an active, intelligent and industrious people; and its tendency to encourage idleness and beggary, and the mummeries of its priests and professors, which strongly resemble those of the Brahmins and Faquirs of India, have therefore naturally caused it to fall into disrepute; so that even the pagodas, those costly shrines of its deity, are neglected and running to decay. Another sect, whose founder lived in the time of Confucius, is that called Taon, a kind of Rationalists, whose system is Epicurean. It is rather a philosophy than a religion, and in later times has degenerated into the practice of magical arts. Its followers seem never to have been numerous; and at this day are in as low repute as jugglers and mountebanks are in other lands. The people generally, without reference to sects, are fatalists; although some of the more enlightened so far discard the doctrine of inevitable destiny as to believe that conduct is fate, and have written treatises to prove it.

On the whole I should judge that the religion of China is in nearly the same condition with that of ancient Greece and

Rome. It is believed by the ignorant and sanctioned by the State; but discredited by the intelligent and cultivated, who think for themselves.

This imperfect outline which I have briefly sketched, bears, it seems to me, but little resemblance to the picture of the Chinese which is commonly recognized as the only accurate portrait. But we have been too apt to judge of the whole nation from the offscourings of the Empire that surround Canton, which the Emperor himself, from his distant palace, denounces, in one of his edicts, as a den of thieves and robbers; just as we are disposed to think meanly of its taste and literature, tintured perhaps too strongly with the tropes and bombast of Orientalism, from the wretched translations of public documents which are printed in the newspapers; the labor of men who are such inveterate slaves to literal construction that they dare not release the thoughts of the great officers of a mighty Empire from the fetters of the native idiom into the freedom of pure and honest English, but stupidly make havoc of two languages at once. They unscrupulously transform into "barbarians" those whom the Chinese mean to stigmatize with no worse name than "foreigners," and torture into terms of insult the Oriental phrases of courtly diplomacy.

It is such a country as this, venerable for the antiquity of its institutions, and as the cradle of useful arts and inventions, rich in the recorded and indisputable memorials of forty centuries; a country which had reached the hoariness of age without losing the prudence and activity of manhood, while the nations that now hold it in contempt were either non-existent, or in the swaddling bands of infancy; it is such a people, estimable for their reverence to learning, their quiet habitudes, their devotion to agriculture and the profitable arts; a country, favored by Heaven and by the stupendous efforts of human industry with innumerable facilities for the employment and intercourse of its inhabitants; a people, adapting these facilities to their thrift and happiness, and so well satisfied with the goodly heritage which God has given

them that they seek no external sources of advantage, content in the unmolested enjoyment within themselves of all that in their estimation is worth coveting; a country so vast in extent, so various in climate, so teeming with resources; a people so multitudinous, so well regulated, and so highly civilized; it is such a country, and such a people, that England, in the very avarice of power and dominion, and assuming to be a Dictatress of Nations, seeks to reduce to the servile condition of homage, or to bow into compliance with her arbitrary requisitions.

The pretenses with which she hopes to win mankind to a toleration of her grasping covetousness I design to discuss on another occasion. She seems to have set her heart for years upon a triumph fraught with mischief to half the world, and little glory to herself. With India before our eyes, it is difficult to resist the conclusion, that whatever skill in arms and diplomacy, whatever experience in fraud and corruption, whatever force and wealth can do to "swell the exorbitance of her power," she will put in active requisition to reduce to vassalage the Ruler of three hundred millions of men, and to make dependents of those millions. To cloak her designed atrocities in some flimsy garb of seemliness, she tells the world of the insufferable selfishness of a nation that indulges in the moroseness of an anchorite, shunning intercourse, and warding off intrusion; she gravely urges the Christian duty of forcibly bursting the barriers that ages of prejudice, or it may be of principle, have reared to obstruct that intercourse, that through the breach the light of a pure religion may pour in to illuminate the minds of a countless multitude of fellow men; she displays the benefits that will spring from communicating to this multitude the religion, the inventions, the literature, and the philosophy of enlightened Europe, and the advantages to the world of being permitted freely to ransack the treasures of a venerable antiquity and to learn the ancient arts of an ingenious people. These, and such like devices to stifle the consciousness of wrong, and to blind mankind to her real objects, may satisfy the political conscience of England,

hackneyed as it is in the ways of self-aggrandizement; but notwithstanding all these, she must morally know and feel that her only vantage ground is her superior energy and skill. To the high moral vantage ground of right and justice, or even to that of an honest design to elevate a mighty nation to a position coequal with the space it fills in territory and numbers, she does not reach. Such a lofty and commanding position as that is far, far above the ignoble aspirations of her selfish pride and ambition. To depress others when she dares, no less than to exalt herself when she can, is the powerful moving spring of her system of international intercourse.

SECOND LECTURE.

The duties of nations, like the duties of persons, are of two kinds; those of perfect, and those of imperfect, obligation. This is a distinction generally recognized by the writers on the law of nature and of nations. The perfect duties are those which are universally and clearly imperative, and which cannot be violated without justly exposing the delinquent as well to punishment by the person or the community he aggrieves, as to the disapprobation of his own conscience and the judgment of God. The imperfect duties are those which, although morally imperative, are still discretionary, so far as human compulsion is concerned, unless they are reduced, by a tacit or expressed understanding, to that duty of perfect obligation which consists in fidelity to engagements. Thus, it is a personal duty of perfect obligation to refrain from violence to any man, and a national duty of perfect obligation to refrain from aggression upon any nation; and an infraction of these duties may be lawfully punished by force. But to have intercourse with our neighbors, or with other nations, are duties of imperfect obligation; they are duties, because such intercourse is natural and generally conformable to the evident order of Providence; and they are of imperfect

obligation, because the performance of them is discretionary, and because they may be sometimes dispensed with for reasons that morally approve a neglect of them to our consciences. For this neglect, however, both persons and states are amenable to the tribunal of Heaven, which judges of motives as well as of acts; yet unless they have appointed some common arbiter, or agreed upon some mode of compulsion, no force on earth can be lawfully resorted to to compel a different conduct. It is clear that many of the obligations which enlightened reason and Christian duty impose are not of a kind to be enforced by any human power. We should be kind; but churlishness is not punishable. We should be charitable; but charity cannot be exacted. We should be frank; but duplicity is beyond the reach of law. We should be liberal; but avarice, detestable as it is, is not amenable to any penal code. The catalogue of imperfect obligations embraces all those duties to our fellow men, which conscience acknowledges, but the performance of which depends upon our own free will.

God having evidently designed men to be social beings, it is the general duty of mankind to be social. The state of society is a natural state, common to the barbarous and the civilized. Yet we occasionally see men who avoid the companionship of their fellows, and become anchorites. This appears to us to be a violation of their duty. God is their judge, and not we; for who can say that some idiosyncrasy of constitution does not excuse in their case what in our own case might be without apology? Whether it be so or not, can human legislation touch the evil? The physical power of society may force the presumed delinquent from his retreat, and cause him to reappear among his fellows; but to exact from him the courtesies and socialness in which they cheerfully indulge is equally beyond the reach of physical power and legal enactments.

It is so with nations: God has bestowed upon them facilities for intercourse and for the mutual interchange of good offices; and by an unequal distribution of His gifts, seems to

have made it their moral duty to intercommunicate for the purpose of equalizing their respective conditions, and reciprocally enjoying His peculiar bounties. But the performance of this duty is voluntary. Every nation, in a political view, is the judge of its own obligations, and accountable to other nations only in cases of overt absolute wrong. A state may, after long experience, discover that connection with others is prolific of disorder, and tends to viciousness of life; provoking the indulgence of the worst passions, and exposing to danger the happiness of its citizens. Who shall say that these, or other motives, may not justify even in the eye of Heaven, as they do to the State itself, a policy of exclusion?

Nations are equal. They acknowledge no common human superior. Respecting all duties of imperfect obligation, each judges for itself, as persons do respecting the same duties; and to Heaven only are they accountable. It is not for one nation, endowed with superior skill and strength, acquired perhaps by a long and successful infringement of these very duties, to assume to be the arbiter; nor is it for a confederacy of nations. Might, however lawfully acquired, never gives right; nor does it constitute its possessor a Vicegerent of God to perform His presumed purposes and act in His stead. No human power can assume that lofty commission, without the most daring presumption; no human intelligence freely acknowledges its authenticity.

All nations confess the truth of these positions; for what but a confession of it is the policy of all with regard to commercial intercourse? Is there a civilized state on earth that does not fix for itself the measure and terms of intercommunication with the rest of the world? Some admit it more liberally than others; but none freely. Restrictions of some sort universally prevail; and these indicate the general sense of the world that the duty of intercourse, whatever are the moral or economical obligations that affect it, is practically one of imperfect obligation, liable to the caprices of policy and self interest.

The imperfect duties of States being, then, as little

compulsory as those of persons; and no person having the right to compel his neighbor to the performance of such duties, without some understanding that changes their character; it follows that no nation, under the like circumstances, can lawfully enforce another to the performance of them. To maintain the contrary, were to make weakness subservient to power, under the pretext of exacting a duty; to constitute the strongest the arbiter of international obligations; and to leave the strongest amenable only to its own conscience, which might be corrupted, and to God, whom it might not fear. Such a doctrine would strike at the roots of international law, completely overturn all national equality, and establish on its ruins a tyranny monstrous beyond conception.

Civilized nations generally have concurred in a system of intercourse which avoids a resort to these elemental principles; while, at the same time, it acknowledges their existence, and the right of referring to them to define their respective obligations. This concurrence usually proceeds from far other motives than those of Christian duty, or a reverence for Christian precepts; although by some that duty and those precepts are assumed to be the basis of the law of nations. That this law, in its practical operation, gives effect to Christian principles is, however, no evidence that it is founded upon them; any more than the existence of society among savages is an evidence that it springs from a regard to Christian duty. The enlightened Pagan nations of antiquity were on a footing of reciprocal intercourse, governed in all essential particulars by the same elemental principles; and yet they had no eye to the requirements of Christianity. They knew nothing of it; and even Christian nations, for the regard they pay to it in much of their conduct, might be presumed to know as little. To assert, then, as a distinguished statesman of our own country has virtually asserted, that Christianity is the foundation and practical rule of international relations, is only another mode of asserting that to nations professing Christianity it belongs to dictate to Pagan nations the laws of intercourse, of which they are presumed to be ignorant, or

with which they are indisposed to comply; a proposition which it seems to me is as fallacious and untenable as the whole reasoning of which it is the basis. Christian nations are not in a political view superior to Pagan nations. To affirm the contrary might be to subject one half the world to the tyranny of the other.

Without further pursuing a topic which may, in the opinion of some, deserve deeper consideration, I conclude that nations may freely judge for themselves, as persons may, of the extent to which they will perform duties of imperfect obligation; that they are not responsible to each other, nor to any human power, for a delinquency, unless by their own voluntary agreement; that the laws of intercourse spring from the laws of nature which are common to all, and not from the precepts of Christianity which are only partially recognized; and that the duty of intercourse is discretionary, and may be discharged or neglected without any other accountability than that which is due to Heaven.

The striking national peculiarity of China is its system of persevering exclusion, which has so long prevented other nations from obtaining a permanent foothold within its dominions, and even from entering into those commercial relations which commonly exist between civilized countries. The original motive to this singular policy, a policy which Sparta and other nations of antiquity sought to establish, it is difficult to discover. It is probably of Tartar origin; for although there was never a time when free access was permitted to all parts of the Empire, yet, previous to the arrival of the Europeans, foreign commerce was encouraged; and it was not until the Manchocs acquired the control of China in 1644, that foreigners were confined to the port of Canton alone. Four centuries before that period, the Venetian, Marco Polo, had visited the country, and been received with distinguished favor; and a residence of seventeen years had so much endeared him to the Court that he found it difficult to obtain permission to return to his native country. Afterwards, Catholic Missionaries were received with almost equal favor;

made and baptized converts; built temples; became members of the Imperial College, and the chief men of science; and but for their indiscreet interference with the civil affairs and long established customs of the country, which caused their final expulsion, might have remained to this day, with an influence effective, in the lapse of so many generations, to alter materially the character of the people.

The strife that was occasionally waged between the first European adventurers in the East, the Portuguese, the Spanish, the Dutch, and the English, and which gave no very favorable idea of their pretensions to civilization and peaceful habits, added to the circumstance mentioned by an English writer that "the Europeans made themselves known in the Eastern seas chiefly by their roguery," probably stimulated the Tartar jealousy of foreigners, and confirmed a policy to which national prejudice had considerably habituated the new dynasty.

That China has a sufficiently numerous, and even superabounding population of her own, is a good reason for her not desiring foreign accessions; that her incredible multitudes are living, for the most part, in a state of quiet and good order, is a reason why she should be reluctant to introduce into the State those who might stir up dissensions and disturb the settled order of affairs; but that she should strenuously refuse to negotiate for the regulation of external trade, is somewhat inexplicable. Her own commerce, however, is principally internal; indeed wholly so, if we leave unconsidered the semi-annual voyages of her junks to Japan; and even the intercourse between Peking and Canton, which are twelve hundred miles apart—an intercourse which might be carried on by sea—is accomplished only by means of the great rivers of the interior and by that wonderful ship canal which for nearly six centuries has borne on its waters, in vessels of the greatest burthen, for a distance of six hundred miles, the products of this fruitful country. This internal commerce yields enormous revenues; and to encourage a foreign trade might, in the opinion of the Court, cut off the present sources which pour

wealth into the public treasury, without securing equivalent external supplies.

But whatever may be the motive of this peculiar policy, and however repugnant the policy itself to the practice and feelings of other civilized countries, and to the true principles of political economy, it has notoriously existed for two hundred years, withstanding every intrigue, and such occasional force as has been urged against it. The Portuguese seem to have made the widest breach in it by obtaining possession of the island of Macao, which from its position would seem to command the port of Canton, and which for a long time was the sole *dépôt* of foreign commerce. This possession, however, is not the absolute possession of sovereignty, as is frequently supposed, but is of a leasehold character; an annual rent being paid to the Chinese government, and the town of the island being governed by a subordinate of the Emperor.

The English have been the most persevering of all foreigners in their attempts to undermine a system which has thus far more effectually protected the coast of China against foreign intrusion, than did ever the Great Wall of the northern frontier protect the interior against the incursions of the Tartars. The first British embassy in 1793, after an ineffectual attempt by Lord Macartney to obtain permission to trade at other ports besides Canton, was dismissed with a letter to the King, in which the Emperor, announcing the strictness of the limitation to that port alone, adds, "You will not be able to complain that I had not clearly forewarned you. Let us therefore live in peace and friendship, and do not make light of my words." Some twenty years afterwards, in 1816, Lord Amherst repeated the attempt to obtain a modification of this jealous restriction, but he was even more coolly dismissed than Lord Macartney had been, not even obtaining a hearing on the subject of his mission.

As it has been the fashion to blame the Chinese for their conduct towards these embassies, it is but just to remark that, although unable to make the desired impression on the

Imperial Court, they were courteously treated, and escorted from Peking to Canton with their numerous retinues, at the expense of the Imperial Treasury. The result of the first embassy, and the candid and distinct announcement by the Emperor of the fixed policy of the government, should have discouraged the second; and certainly its failure under the circumstances, considering the stiff refusal to comply with the ceremonies of the Imperial Court for fear of sacrificing English dignity, cannot be deemed very extraordinary.

Thus foiled in her successive endeavors to obtain a relaxation in her favor of the system by which China, wisely or unwisely, seeks to seclude herself from the world; and stimulated by an incident to which I shall presently recall your attention; England now has the effrontery to urge as an apology for her past and intended misconduct towards that unoffending people, the necessity and duty of breaking up this ancient policy. After taking it as a favor, as it doubtless has been, and a most profitable favor too, to be permitted by bare toleration to establish a factory, in common with other nations, outside of Canton, she is now disposed to feel it as a grievance and an insult that she is not allowed to become familiar with the Emperor in his palace at Peking. It is as if, in private life, after reluctantly permitting a suspected stranger to barter his wares with the servants in your kitchen, with an intimation that his presence is not desirable even there, he should insist, after driving a profitable bargain with the domestics, upon venturing into your parlor in defiance of your injunctions, and claim to be as civilly treated as if he were an invited and welcome guest. To show him to the street would be your natural impulse, and the fitting reward for such shameless insolence. He might, perhaps, resent your interference, and his physical prowess might enable him to maintain his comfortable lodgment and even to drive the lawful proprietor out. But the successful exercise of his force would hardly be deemed, among civilized people, as a mitigation of his effrontery, or an evidence of his right.

But even allowing that China is politically wrong, as I am

disposed to admit she is morally wrong, in cutting off the rest of the world from the advantages of her commerce, I affirm that of all nations England can with the least grace complain of such conduct and venture to chastise it. What country that the sun illumines with his impartial beams has ever been, or is, more exclusive, in spirit if not in act, than England? It is true, she will suffer your ships to enter her ports and convey thither your cotton, because she can make a profitable merchandise of that; but let them convey your corn, and they are as effectually excluded as if all the guns of the Bocca Tigris were aimed to compel their departure. The commercial system of England differs from that of China in that it is a system of discriminating exclusion; tending not so much to the benefit of the people, as to the wealth of the aristocracy. This discrimination stamps it with a selfish impress more discreditable than the wholesale exclusiveness of China. Its whole aim is to advance her own particular interests; and she admits or excludes with sole reference to those. She tolerates intercommunication, but it is gauged with a careful eye to the profits it pours into her treasury. If it do not contribute to her wealth and influence, it is fenced off by the ægis of protective duties; as effectual a barrier, at least, as the edicts of the Son of Heaven. China is consistent and stable, governed by no such fluctuating impulse of selfish gain. Her only discrimination is one in favor of the mass, not of the few. She does not deny to a starving and wretched population, as England does, foreign supplies of subsistence; she admits rice, the food of her myriads, duty free; nor does she pretend to deal on terms of reciprocity with the rest of the world, and at the same time exclude their productions by an arbitrary tariff that is equal in its repulsive power to a battery of Paixhan ordnance. She distinctly declares her policy to be anti-commercial; and all the trade that she tolerates with Europeans is an infraction of that policy. She sends no ships abroad except to her ancient neighbors of Japan; and it is through the Company of Hong Merchants alone, whom she holds responsible for the good conduct of foreign traders, and

the collection of the usual duties, that any commercial intercourse is permitted. Her avowal is virtually, "we permit all nations, as a matter of favor and on mere sufferance, to trade at Canton and at Canton alone, subject to charges that may be onerous, but not prohibitive, in all the products they can dispose of there; opium, that poisonous drug, only excepted." It is on these terms that England, in common with other Western nations, has long kept up a profitable commerce with Canton.

But the permitted trade is not all that has been profitable to her. Of late years her gains have been enormous upon the importation of the only interdicted article, opium; and as the trade in this has produced the ostensible provocation which has involved in hostilities these two great countries, it is desirable that its history should be fairly understood.

In many countries of the East, particularly in those where Mohammedanism prevails, the use of intoxicating liquors is proscribed by religious precepts. Whether it be owing to the influence of these precepts alone, or whether the climate and physical causes, and the unpalatableness of the ardent stimulants produced in those countries, contribute to so desirable a result, it is certain that indulgence in them is by no means prevalent. But the inflammatory stimulus of distilled liquors being thus generally avoided for whatever reason, the soothing stimulus of opium has become a common substitute. Bengal, Bahar, and Allahabad in India, are regions where the poppy flourishes in great profusion, and the production of opium has long been a principal source of revenue to those provinces, or rather to the mistress of those provinces, the East India Company. Bahar, particularly, is celebrated for the excellence of this drug, and its principal city, Patna, has given its name to that which is of the highest value. In China, also, there are districts favorable to the cultivation of the poppy; and since a taste for opium has spread among the people by means of the foreign importations, a drug which to this day, as it is affirmed, has no native Chinese name, has been clandestinely produced to a considerable extent for private use, although its

cultivation has long been prohibited on account of its hurtfulness to the "health and morals of the people."

Not only is the cultivation of the poppy prohibited, but some former lamentable experience of the evil effects of indulgence in opium, whereof no trace remains, also caused the prohibition of that as an article of commerce; and it has been indisputably and notoriously contraband ever since Europeans began to trade with the Empire.

Among the enormities charged upon Warren Hastings as Governor General of Bengal is this, (and it is by no means the most trivial of his enormities,) of introducing into China an article not necessary to the support or comfort of life, but positively detrimental to both; and which it had been for years the effort of a government, that with parental care, regarded the health and morals of its subjects as worthy the protection of a penal law, most sedulously to exclude. It was introduced, too, under the cover of a flagrant fraud which enhanced the enormity, and should forever silence an English tongue about to utter a malediction upon Chinese perfidy. In order that the unlawful cargo might escape detection, he was at great expense to procure ordnance to arm the vessel which transported it, that it might pass, according to the usual license of ships of war, without enquiry by the officers of the customs respecting its lading. The venture was successful; and led to the prosecution, by the East India Company, of a contraband trade in that pernicious drug, which eventually proved more valuable than all the other English importations combined, and even exceeded in amount the whole English export of teas. It was continued on the account of that Company alone, until the expiration of its monopoly in 1834, when it fell into the hands of the free merchants; and at the time of the surrender of the opium in the English factories in 1839, the annual value of the trade was not less than fifteen millions of dollars.

England prides herself greatly and justly upon her efforts to end that abominable traffic which consigns the miserable inhabitants of Africa to stripes and bondage. Without

contrasting her laudable zeal in these endeavors with her conduct towards the tens of millions in India whom she herself holds in servitude the most abject, her misconduct in tolerating the trade in opium, which involves other millions in a worse bondage still, is a sufficient tarnish upon her reputation to obscure the glory of her humanity towards Africa, coupled as the exercise of that noble virtue is with the most arbitrary violations of the rights of nations. And as an attempt has been made not only by her own people, but by a venerable citizen of this country, to present the smuggling and confiscation of the opium lately found within the dominions of China in the light of a mere *incident* in the contest now pending between the two countries, and to reject it from consideration as a matter of trivial concern, its real importance to the people of China as affecting their welfare, and to the people of England as affecting their revenue, is worthy the little time it will require to illustrate it.

In this country, it has been the effort of years to make disreputable the indulgence in stimulating liquors. It had at one time become so prevalent as to amount to a national vice. Its victims were counted not by units or tens, or any of the paltry decimals of our notation, but by tens of thousands and hundreds of thousands. If not generally felt as a public calamity, it had the reality of one, sweeping yearly to dishonored graves more than a raging pestilence; and the exertion and self denial it has cost to achieve a partial victory over it, prove how deeply its roots had penetrated, and the difficulty of extirpating them.

Let us fancy the conflict to have been so far successful as to have won the acquiescence of the popular opinion in the enactment of laws aiding the sympathies of the virtuous by the sanction of penalties and punishments to be visited upon indulgence. Imagine that to produce stimulating liquors were prohibited, and that to introduce them into our territories were to expose them to seizure and destruction; and that so deep were our detestation of this offence against the morals and happiness of a numerous people that the perpetrators of

it were doomed to suffer imprisonment or death. Suppose that for a hundred years or more this great nation, under such a system of pains and penalties, had shut out intemperance with its bloated and raving train of attendants, and were in the complete enjoyment of all the thrift, ease and contentment which a people of abstemious life are sure to attain. Possess yourselves, if your imaginations can picture that delightful state of national serenity, with the vision of a swarming and happy population; distracted by no internal contentions; ambitious of nothing but their own quiet and good order; pursuing a calm course of domestic industry and commerce; skillful in the mechanical and agricultural arts; esteeming literature; covetous of no new acquisitions of territory, but proud of that they possess, which is all the world to their satisfied desires; seeking not, but shunning, all foreign intercourse, as likely to introduce vice and disorder; and enjoying within themselves all that they deem essential to the true comfort and happiness of life.

In the midst of all this, England, moved by the lust of gain, clandestinely introduces into one of our ports a vessel laden with the pernicious draughts which she knows our laws condemn to seizure and destruction. Conscious that a gainful traffic will reward the adventurer who succeeds in evading the prohibition, a few unworthy citizens connive at this attempt to smuggle in a forbidden cargo. Men in public stations, avaricious of gold, and preferring their private interests to their public duty, participate in the crime for the bribe of the profits attending it. Encouraged by the success of this experiment, some great monopoly of England, whose broad possessions are fruitful of the poisonous merchandise, fits out vessel after vessel laden with the interdicted stimulant; and under the cover of a fair and honorable trade scatters it profusely throughout the land. A taste for forbidden indulgence gradually pervades all ranks of men, until the evil becomes so threatening and palpable that the thunders of fresh edicts are wielded in behalf of temperance and morals. But so contagious is bad example that the law has lost its terrors; and

what was at first a doubtful and hazardous venture becomes a chief article of merchandise, exhausting the wealth and undermining the welfare of the people.

Behold now the quiet, the thrift and the happiness with which a century of abstemious habits had blessed us, already become a partial sacrifice to the cupidity of foreign intruders and the demon of self-indulgence; ready to be again precipitated into the yawning gulf of dissoluteness, unless the arm of the law can successfully interpose its original terrors.

At length, after forty years of ineffectual warnings, and of impotent attempts to stay this appalling trade, the Government determines to strike a blow that shall be felt in the most sensitive part, and arouse the delinquents to a feeling of its earnestness. Its officers are commanded to seize the contraband cargoes and commit them to destruction. It is done. The loss of millions of money awakens the remorseless traders, if not to a sense of their criminality, to a thirst for vengeance and a determination to exact a forcible retribution. Their cause is espoused by their Sovereign; and thus the shameful violation of law and morality which they have knowingly committed, and which, committed against that Sovereign, would have branded them with ignominy and been followed by punishment, is dignified into a national offence, and becomes the provocation to hostility and aggression. Which of us, in such a case, it being our own case, would not justify the Government in vindicating the majesty of the law; and if that vindication were made the pretext of foreign invasion, which of us would not readily grasp his weapons to defend so righteous and necessary an exercise of national interference?

What I have thus stated hypothetically of the people of the United States is really the case of the Chinese. Their conduct in seizing the smuggled opium needs no further justification than would our own conduct in the case supposed, or than it will promptly meet in the hearts of all honest men; their conduct in destroying it, elevates them far above the suspicion of any sinister view to their own pecuniary profit in its seizure. In all its aspects, the act was one that must com-

mend itself to the approval of the world. When the first cargo of the drug was conveyed to Canton under the auspices of Warren Hastings, the trade in it was known to be illicit. In the strong language of an English writer "it has always been contraband." Eloquent edict after edict had for successive years before the seizure been fulminated against it, in terms of earnest entreaty and remonstrance; and notwithstanding the shameful and interested negligence of the subordinates of the Government in enforcing the observance of them, the earnestness of the Imperial Court was made abundantly palpable in the bambooning, banishment and public execution of men of all ranks, from Mandarin to artisan, for infringing the law prohibiting the sale and use of the noxious drug. To strike the greater terror, and to make the impartial justice of the Emperor more awfully evident, two native opium dealers, but a little time before the confiscation of the English opium, were executed in sight of the foreign factories. Further than this, one of the chief men of the Empire, who had recommended that opium should be admitted as a dutiable article, and that a traffic which he doubtless supposed could not be prevented, should be legalized, was degraded to the lowest rank and banished to the confines of Tartary, as one guilty of a kind of treason against the welfare of the State. About the same time, too, one of the Hong merchants, who was implicated in a smuggling transaction with an Englishman, was sent to Whampoa to suffer the degrading punishment of the wooden collar. Should the Emperor thus promptly punish his own subjects and should he allow insolent foreigners to escape with impunity? Such was by no means his disposition. The scenes of 1838, in which the punishment of these native Chinese was the prominent feature, were followed in 1839 by a long and most earnest proclamation, closing with an exhortation to the traders to "send back to its country every one of the receiving ships then anchored in the outside waters." This proclamation was followed by the arrival at Canton of a Special Commissioner of the Emperor, charged with the duty of enquiring into abuses, and especially of

eradicating the vice of opium smoking. He entered upon the discharge of his office with a spirit and intelligence that astonished the subordinate officers; and no sooner had he discovered the actual state of things, than he declared, by proclamation, that unless within three days the holders of opium should submit to the Government and pledge themselves against future traffic in the drug, all of it within the Chinese waters should be forfeited, all trade stopped and the aggressors be subjected to personal severity. The Hong merchants were also required to procure the necessary pledges, with a threat in case of non-compliance that two of that body would be selected for punishment. The inefficient enforcement, by corrupt and implicated officers, of former proclamations, led the traders to doubt the sincerity of this; but the promptness of the new Commissioner soon satisfied them that he was not a man of forms and bombast, but direct, bold and efficient. Discovering this, they attempted to bribe him, as they had bribed other subordinates of the Emperor; but he was not only proof against corruption, but of a temperament to look upon the offer as an insult. Having invited the chief man of the foreign dealers in opium to meet him within the City of Canton in order to admonish him, and the invitation being declined, with suspicious intimations of the good faith of the Commissioner, he still, with a courtesy that deserves to be appreciated, stayed all further coercive proceedings over a Sunday, out of regard to the foreigners' "worship-day." The natives were prohibited from entering the factories, and the foreign residents were placed in duress, until a compliance with the proclamation should be exacted. The English Superintendent, who was at Macao, forced his way to Canton, and voluntarily shared the confinement of his countrymen there. Being satisfied that the Imperial Government was in earnest, and that the Commissioner Lin was not a man to be trifled with, he chose to consider this duress, which so far as he himself was concerned was voluntary, as a sufficient reason for calling upon the English dealers to deliver into his hands all their opium; and committed the egregious blunder of

compromising his Sovereign to a protection of the smugglers, by a pledge of remuneration for any loss that should follow a compliance with his requisition. Of course, an article which might not otherwise be readily disposed of, was gladly delivered up to so responsible a purchaser as the English Government, and upwards of twenty thousand chests, valued at about nine millions of dollars, found their way into the hands of the Superintendent. This vast quantity was by him surrendered to the Chinese Commissioner, who caused it to be destroyed as rapidly as possible, by placing it in large vats, where it was exposed to the action of lime and salt, and from which it was emptied by sluices into the river. The object of the confinement of the foreigners being thus accomplished, they were liberated; but even during these proceedings, the English, unfaithful to their pledges, were carrying on a contraband trade along the Eastern shore, in armed vessels.

A few weeks after this, the Imperial Commissioners, it is stated, sought by letter the co-operation of the Queen of England in the suppression of the production of opium and of the trade in it, remarking very reasonably that "as we prohibit our people from using it, so you should prohibit the subjects of your honorable country from preparing it."

This letter the English Superintendent refused to transmit, because it was addressed to the "Foreign Queen Victoria," or, as he chose to consider it, "the Barbarian Queen Victoria," and because of other expressions which he deemed might be not quite respectful to the ear of majesty. An English gentleman, however, pronounces it to have been a "very good and sensible letter, and, with the exception of one or two expressions, respectful enough throughout." If, however, the Commissioner's Chinese was no better than the Superintendent's English, the document could not have been very offensive, for it would have been quite unintelligible.

Thus far the conduct of the Chinese seems to be rather praiseworthy than exceptionable. They proceeded to extreme measures with moderation and with abundant warning of their successive steps.

Until the vice of opium smoking began considerably to prevail, it is true the prohibitory law was not much regarded. In 1821, however, the attention of the Government was aroused, and the opium ships were driven away from Whampoa, a place twelve miles distant from the foreign factories, and they formed a smuggling depôt at Lintin, an island eastward of Macao. Not long afterwards one of the censors of the Government presented a memorial to the Emperor, showing the abuses of the opium trade and the rapid inroads of the pernicious habit of smoking among all classes of people.

"It seems," he says, "that opium is almost entirely imported from abroad; worthless subordinates in offices and nefarious traders first introduced the abuse; young persons of family, wealthy citizens, and merchants adopted the custom; until at last it reached the common people. I have learned on enquiry, from scholars and official persons, that opium smokers exist in all the provinces, but the larger proportion of these are found in the government offices; and that it would be a fallacy to suppose that there are not smokers among all ranks of civil and military officers, below the station of provincial governors and their deputies. The magistrates of districts issue proclamations, interdicting the clandestine sale of opium, at the same time that their kindred and clerks smoke it as before. Then the nefarious traders make a pretext of the interdict for raising the price. The police, influenced by the people in the public offices, become the secret purchasers of opium, instead of laboring for its suppression; and thus all interdicts and regulations become vain."

In consequence of this strong representation the Emperor, in 1833, with the advice of the Criminal Board of the Empire, published a new law inflicting severe punishments upon the buyers, sellers and smokers of opium; and with a just distinction that might well be an example to the penal legislation of other countries, exposing to much severer penalties than the common people, those officers of the State who should be found guilty of offences against the law. Various subsequent edicts were published, accompanied with earnest attempts at enforcement; and notwithstanding that the native communi-

cation between Canton and the new smuggling depôt at Lintin was cut off, the importations continued to increase, until the seizure and confiscation in 1839.

It will thus be seen that for at least eighteen years the Emperor was notoriously engaged in active efforts to stay a trade that threatened to subvert the good order and happiness of the Empire, and that the pretext of the traders that the final act of seizure was an unjustifiable surprise upon them is utterly unfounded. They had been abundantly forewarned; and could not but know that whatever laxity and indulgence had been exhibited in earlier times, affording them an excuse for persevering in their baneful commerce, the laws were now to be firmly enforced. But with the usual cupidity and boldness of such adventurers, they determined to continue their evasions until they should be forcibly compelled to desist; and when the extreme measure of confiscation was at length resorted to, then with the usual insolence and injustice of such adventurers they charge upon the Chinese a sudden resort to violent measures and a want of good faith. What measure of human patience can be expected to endure such shameless effrontery!

The seizure and destruction of the opium was followed by a series of petty hostilities and aggressions, in which the English seem, to say the least, to be equally blamable with the Chinese. The conduct of the Commissioner Lin in ordering off all English residents upon short notice, and without sufficient supplies, is complained of, and I will not say unjustly, as an act of undue severity; and he may have transcended the bounds of moderation, and even his duty and his powers. Scenes of violence and bloodshed occurred tending to provoke ill feeling on both sides, and much that is deserving of reprobation was the necessary consequence. The foreign trade with Europeans was interdicted, but during all these difficulties, and ever since, the smuggling of opium was still extensively continued; so extensively that during one year since the rupture, the annual value of the contraband importation amounted to twenty millions of dollars, a fourth greater value than it had

reached at any previous period. Such a state of things may well account for any occasional violence on the part of the Chinese authorities, provoked to madness by the difficulty of ending an illicit traffic, and by the pertinacity of the traders in violating the laws.

As might naturally be expected British India, accustomed to enormities and ever alive to the dictates of self interest, was prompt to arm in defence of a trade so valuable to herself as that of opium; and in the course of a year equipped an armament which declared Canton in a state of blockade, and captured, with the most atrocious exhibitions of pillage and cruelty, the island of Chusan on the Eastern coast, about midway between Canton and Peking. Negotiations were now set on foot for an arrangement of the difficulties, in which the English demanded about fifteen millions of dollars by way of compensation; but during the pendency of these, and probably to hasten their termination, the English fleet amused itself by attacking and destroying forts in the port of Canton. Preliminary arrangements were finally agreed upon, highly favorable to the English, and involving the cession of the island and harbor of Hong-Kong, some thirty five miles to the East of Macao, of which they immediately took possession. The Emperor, in the exercise of his undoubted prerogative, refused to sanction a treaty which sacrificed a portion of his dominions, and obligated him to pay a large sum to indemnify an insolent foreign power for expenses incurred in acts of the most unjustifiable aggression. The English Government had in the meantime lent its aid to the power of British India, and the refusal of the Emperor was followed by the capture and destruction of the forts which protected Canton, with no loss to the English force, but with considerable sacrifice of Chinese lives and property. An armistice was agreed on, by the provincial officers, which the Emperor still refused to sanction. An attack upon Canton itself followed this second refusal, which was successful in the destruction of some five thousand Chinese and the obtaining, by prompt payment, of six millions of dollars for a ransom of the city.

It seems to me that there are sufficient indications in these transactions, coupled with the instructions of the British Government to its new Emissary to China, as they are shadowed forth in the newspapers, and with his recent outrages upon territory, property and life, to point out the real design of the English in their offensive demonstrations. To a nation staggering under a weight of indebtedness sufficient to crush a people of any other than Saxon blood, and covetous of extended empire, to retain fifteen millions of dollars of revenue a year, and to gain possession of a vast dominion, will sanctify any pretext for a war however unfounded, or however odious. It is not the petty indignity of rejecting her embassies; it is not the occasional overreaching and perfidy of Chinese subordinates, unknown to and unsanctioned by the Imperial Court; it is not the exaction by that Court of the performance of ceremonies which the stately and unbending ambassadors of England deem debasing to personal and national dignity; it is not the simple loss of twenty thousand chests of opium by an act in itself confessedly justifiable; it is not the corruption of the provincial officers of Canton who connived for years at a trade which poured wealth into their private coffers, and seemed to tolerate by a semi-official waiver of legal penalties a lucrative contraband commerce; it is not any of these that prompts England into this war. All combined would not justify hostility on the part of the most punctilious nation on earth. Her offence is palpable to the common sense of the world. No subsequent blessings which she may confer upon China can atone for it; no subsequent ill-desert on the part of the Chinese can retroactively palliate it. She has voluntarily assumed the attitude of the original aggressor, with no immediate provocation to become so, that the laws of nature, of nations, or of God, can recognise as an apology. If she seeks the refuge of any pretext, other than that which her superior might affords, she will look in vain for it in the conduct of China towards herself. The real *motive* of her hostility is the ever prevailing one of gain and self-aggrandizement; the real *pretext* with which she hopes to conceal her motive is that of

a philanthropy co-extensive with the world, and the alleged duty of overthrowing the peculiar policy of China which severs her from intercourse with all other people.

I admit that China may be morally wrong in this policy which infringes that wise design of Providence that leads communities, no less than persons, to be social. But has God constituted England his Vicegerent to enforce his provisions? Is it for her to assume, in behalf of all other nations, the right to enforce upon China the performance of a duty imperfect in its obligations, practically discretional, although it may be abstractly imperative? She should first cast out the beam from her own eye before she can see clearly to pluck the mote from another. She, of all nations, is the most amenable, in the spirit of her conduct, to the charge which she prefers against China; and if that offence against the moral order of Heaven is punishable by human interference, she herself should be first visited with the penalty.

But it is said that she designs to Christianise China. What! Christianise China by force? If she designed to Mohammedanise it, the sword were indeed the proper weapon; but it is not the weapon of the Prince of Peace. England, however, has already enough of the world to Christianise, without seeking a new arena for the exercise of her doubtful benevolence. She planted her foot in India two centuries and a half ago; and in what condition now are the one hundred and fifty millions of India? Has she devoted half the effort and zeal to Christianise these, that she has spent in contriving how to impoverish and degrade them, and to enrich herself? She has possessions in Africa; has she Christianised those? Had she expended a tithe of the talent, resources and energy in Christianising the world, that she has lavished in subduing it, China might perhaps by this time be the only remaining field for her humane exertions; and we might be disposed to excuse a little incipient force for the ultimate accomplishment of a grand design. But with our knowledge of her acts, we may well be pardoned for doubting the sincerity of her professions. Her enterprises, begun with the fairest apparent

motives, are extremely apt to end in something that redounds more to her benefit, than to her glory.

The arrogance of England is not more strikingly manifested in her insolent demands upon China, than it has frequently been in her exactions from the rest of the world. She has been accustomed to assume to dictate, and weaker nations have been habituated to look upon it as a matter of course that she should. For a long period she not only claimed the dominion of the seas, the common easement of mankind; but her naval power enabled her to maintain it. She still adheres to the right of search as a badge of her maritime supremacy. The cannon's mouth has for ages been the persuasive organ of her national eloquence, by the potency of which she has won power, dominion and wealth, in all quarters of the globe. Her policy is that of aggrandizement; and in pursuing it she overlooks not only the elemental principles of political economy, but the true and permanent interest of her subjects.

Were it not for her, the moral obligation of kingdoms freely to intercommunicate, as one great fraternity, would now be no mere Utopianism, but a practical reality. The whole jealous system of self-protection would be exploded as one unworthy of civilization, and in conflict with all liberal and enlightened sentiments. But she prefers, from prejudices and views as ill founded as those of the Chinese, to set an example of pitiful selfishness, which other nations are compelled to follow if they would not sacrifice their own vital interests to her enormous voracity of gain. Would she but release commerce from the shackles with which her own policy has so long fettered it, by blotting out her whole system of restrictive duties, the world would speedily attain to a freedom of intercourse bounded only by its capacity of production and transmission; and the family of nations, instead of presenting to the Eye of Heaven a brotherhood at enmity, jarring with discords, abounding with mutual jealousies, expending their strength and resources in offence and defence, maintaining the attitude and nourishing the provocations of perpetual hostility; would exhibit the sublime spectacle of a

brotherhood at peace, intent upon mutual accommodation and a free interchange of good offices, sharing each with the other, in the noblest courtesy, the bounties of God and the products of their various industry.

In all general questions, therefore, touching restrictions upon a free and liberal intercourse such as becomes humanity, I maintain that England, considering her mighty influence and weighty example, is the most culpable of all nations, and the first to be arraigned, for indulging in herself and so encouraging in others, a spirit of exclusiveness. It is not for her, with her prolix code of prohibitions, and her formidable catalogue of imposts and monopolies, to claim that her standard shall be deferred to and universally sanctioned. If she has a right to say to America, "we will not suffer a grain of your superabounding corn to be sold in our starving marts," China has an equal right to say to England, "the same prohibition which you lay upon corn, we lay upon all the products of your industry."

In the present contest, it is by no means certain that the skill and courage of England will be eventually successful. In the words of an Englishman, who was resident at Canton during the difficulties of two years since, she "has a bad, a notoriously unjust, cause to build upon." Triumph after triumph may perch upon her standards. She may burn Canton; she may pillage the Imperial City; she may ravage twelve hundred miles of exposed sea coast; she may inflict immeasurable injury upon an unwarlike people whom two centuries of peace have unfitted for a prompt defiance of foreign hostility and among whom the military art is in its infancy. But if England be powerful in talent, energy and skill, it is not to be forgotten that a just cause enabled weak America to contend successfully against her. It is not to be forgotten that China, too, has a just cause, and that she is powerful in her multitudes; that she is defending her hearths and altars; and that provocation and warfare will arouse her people to courage and compel them to discipline; nor is it to be overlooked, in a contemplation of contingencies, that she

is on amicable terms with Russia, that jealous and formidable power of the North, the only nation with which she has ever concluded a treaty, or which has access to the Imperial Capital. Unlike India, which was subjugated piecemeal, her different provinces acknowledging no common head, China is a united government, acting with a single impulse. In the words of the same Englishman, "If the Chinese are determined, *as a nation*, to resist, then, I fear, the scale of warfare on which we must engage will be of such magnitude as to be totally out of the power of the British Empire to follow up."

Nothing can lead one to suspect the ultimate fidelity of China to herself, but the circumstance that her original people may still incline to throw off the yoke of the Manchoes, which for nearly two centuries has been quietly borne, and to which such a lapse of time has likely accustomed them. If any lurking desire still remains to release themselves from that dominion, the intrigues and bribes of England may waken it into a powerful auxiliary, for the advancement of her own designs; and we ought not then to be surprised if we see a tool of England seated in the palace of the mighty Empire, and his subjects the vassals of British policy and the forced contributors to British wealth. Nothing short of such a traitorous self-sacrifice can enable England to make a conquest of China. But if she should be successful in battering down the exclusive policy of that eremite among kingdoms, and should moderate her ambition to the attainment of that end alone, we might cheerfully accord to her the merit of having achieved an important and beneficial object, but by measures which can never receive the sanction of law or conscience. The result may redound to her glory; but the means of its accomplishment must forever cross her escutcheon with a bar of disgrace.

ADDRESS AT THE GREAT HUMBOLDT CELEBRATION,
AT THE FAIR GROUND, IN UTICA, N. Y.,
ON TUESDAY, SEPTEMBER 14, 1869.

THE century and a half which elapsed from the day when Bacon inaugurated the new philosophy, and so grandly reviewed the whole domain of human knowledge, to the birth of Humboldt, had amassed a great accumulation of experience and observation conducted in the spirit of that philosophy, which awaited the advent of some comprehensive and inductive mind to generalize it. To this long accumulation, the active and indefatigable spirit of Humboldt, aided by the experiments and researches of his eminent scientific contemporaries, made wonderful and important contributions. As Bacon had appropriated all human knowledge for his domain, and proved his ability for such a high sovereignty, and earned the title of the Chancellor of Nature, so Humboldt, with equal authority, claimed all cosmical knowledge for his, and earned that of the Privy Councillor of nature; and well he proved that there was no presumption in his pretensions. He made himself, by unexampled diligence and thorough and orderly study of all the departments of physical science, the master of all, as if each were his particular end, so that his accomplishments and learning were special as well as universal. His ardor in his pursuits surpassed that of most men with whom he might be ranked. He was patient, courageous and indefatigable in his earnest search after all the facts which supply knowledge; and that search led him not only unflinchingly, but even pleasurably, through fatigues, perils and self-denials which most men of equal intellectual power would shun, seeking rather the quiet

and physically inactive life of the study, or the less secluded one of the club or the scientific association. Wherever he went, in most of the latitudes and longitudes of the world, he was accompanied by the instruments of science to verify his observations, and to be the constant unimpeachable witnesses of his sincere devotion to the truth, which it was his object to gather and apply. He had not only the perspicacity to analyze, but the capacity to enjoy nature; and his earlier works exhibited in description the enthusiasm of poetical feeling. Age made him somewhat more didactic.

His first travels were accomplished before middle life, and his last at a period when most men begin to look for repose. The interval was one of study, and large conversance with men of scientific or political eminence. His works were written in various languages—Latin, French and German; and in all he studied to avoid the sarcasm of Goethe that “the Germans have the art of making science inaccessible.” He wished to popularize it, and his *Views of Nature*, his *Cosmos* and his universal name, testify how far he succeeded.

Humboldt's was a long life; and either the active or the sedentary part was each an ordinary lifetime as regards years, and each twice an ordinary lifetime as regards work and accomplishment. He was, so to speak, a double man,—one for the active world, and one for the study. Never, perhaps, by nature and by accomplishments, was any one better fitted and equipped for the remarkable position which universal consent awarded to him; the first naturalist, or cosmist, if such a word will pass, and the scientific patriarch, of the century now passing away, and with which his adult years and labors were coincident. Of all the able scientific men of a century so conspicuous for the advancement of science, it is not likely that there was one with qualifications equal to his, for making a new survey of those expanding fields of cosmical knowledge which Bacon had pointed out as about to fructify with exuberant harvests under the cultivation of ardent minds and skillful and patient observers, content to conquer nature by yielding to her; who should, in the “distant ages,” enlarge

the bounds of human knowledge by pursuing the true philosophy. To stand upon and master this vantage ground, which was but dimly opened to the eyes of Bacon, as the land of Canaan to the distant vision of Moses, was the fortunate lot of Humboldt. Nothing but a master mind and a long life could make it a base for a vast and comprehensive generalization. To review and systematize such a miscellaneous repository required, if not as great genius, greater labor and more years than to point the way and prophesy the results. There were men of Humboldt's generation who, in detached fields of investigation and experiment, perhaps surpassed him; but there was no one whose studies and observations were at once so versatile and so comprehensive, as to fit him equally for the grand review of all human knowledge. He was also favored by his easy fortune, his independent position, his noble birth, his courtly standing and his healthy and protracted days, for the task of analyzing and summing up the accumulations of his own busy and inquisitive life, added to the mass of facts and experiments garnered by his predecessors and his contemporaries. The little that is left of that century would, as regards him and his usefulness, have been decrepitude; for his years lacked but a decade to enable him to join in the universal festival that this day celebrates the centennial of his birth. A few days longer would have ripened his years to ninety; a remarkable longevity, considering his exposures to perils, and his indefatigable labors of mind and body.

The name of Humboldt is not only a scientific name—it resounds as a household name among all civilized people. His reputation is cosmopolitan. The men who without the blazon and clangor of martial exploits have attained an equal renown with Humboldt are rare indeed. He has the fame of a great and comprehensive, as well as of a minute and versatile mind; capable of observing the most microscopic details and of grasping the widest conclusions—thorough in investigation, and instinctive in generalization. In the scientific and literary circles of the nineteenth century no man ranks higher than he, and probably no man, at this late period of it, can

rise superior to him for variety of accurate and systematic knowledge. He has doubtless generalized all physical science more understandingly and completely than any man living has an equal capacity to do, whatever may be his genius or his natural gifts. His influence on science, in the judgment of an eminent judge, is incalculable. He made botany attractive; he founded climatology; he simplified complex phenomena to common apprehensions; and he crowned his labors by filling up large vacant and indefinite outlines of the great chart of human knowledge, roughly traced by the hand of Bacon two centuries before, and by giving the sanction of his venerable authority to these amplifications and advancements of the sciences. What he doubtless intended for his great work and the finish of his scientific life, was his *Cosmos*; the special object of which was, as he himself says, "to combat those errors which derive their source from a vicious empiricism and from imperfect induction"—that is, as I suppose, to preserve the true spirit of science by adopting and summarizing the fair and well sustained inductions from the undisputed facts and observations already at any time garnered, and to set them down as fixed and solid foundations of human knowledge, while empiricism and fresh observations continue the pursuit after further additions. He himself says that "we shall never succeed in exhausting the immeasurable riches of nature, and no generation of men will ever have cause to boast of having comprehended the total aggregation of phenomena." All science is progress without termination, so long as men will search and observe, and will record their researches and experience. Science, like art, is long, even compared with the length of days attained by Humboldt, who comprehended so much. Another era will doubtless come when the whole lifetime of some other Humboldt must be exhausted in fitting himself to prepare another *Cosmos* more extensive than his, and embracing a wider circle of knowledge than now exists; for there is no end of observation, experiment and discovery, and so no end of induction and generalizing. Every century must have a fresh survey of the field of

science; and happy will that century be that can command the resources of one as equal to that task as Humboldt was to his. However he may be surpassed in the advancing pace of human acquirements, he can never be forgotten as an example of how to observe, how to compare, how to comprehend vastly, and how to generalize summarily and clearly.

I have confined myself to Humboldt as a man of science. In other respects, his character was pure and shadowed by no suspicions. The memory of Bacon is unfortunately spotted; that of his distant follower is, I believe, without a stain. He had not the ambition that sought political distinctions; he rather avoided them, except as they might advance or decorate science. For himself he desired but travel or study, both of which he made incessant labor. He rose early, and yet much of his work was done after midnight. Think of a man who had to peruse and perhaps to answer more than two hundred letters a day, and that at a time of life when nature ordinarily seeks to draw the curtains about her infirmities, and to wrap herself in quiet and obscurity. He had early harnessed himself to the service of nature, and had pursued her always with ardor and courage until she thought fit to relieve him from protracted duty, and to dismiss him, we may hope, to the enjoyment of revelations surpassing all his worldly visions, and enlarging his *Cosmos* to the widest bounds of a *universe* to us invisible; passing "the flaming bounds of time and space"; where vision shall be neither microscopic nor telescopic, but where everything shall be seen face to face, and not in a glass darkly.





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